



# PHASE ENGINEERING

## Phase I Environmental Site Assessment

January 21, 2025

**PE Project No.: 202501055**

11941 and 11975 US Highway 190 West and 165  
Captains Lane  
Livingston, Texas 77351  
Polk County

**Prepared for:**

Uncontained Living  
2600 South Shore Boulevard, Suite 300  
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**Prepared by:**

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## Project Summary

Report Section		No Further Action	REC	CREC	HREC	Other Environmental Considerations	Recommended Action
<u>3.2</u>	Current Use of Subject Property	✓					
<u>3.3</u>	Current Uses of Adjoining Properties	✓					
<u>5.1</u>	Standard Environmental Record Sources, Federal, State & Tribal	✓					
<u>5.2</u>	Additional Environmental Record Sources	✓					
<u>6.3</u>	Historical Uses of Subject Property	✓					
<u>6.4</u>	Historical Uses of Adjoining Properties	✓					
<u>8.3</u>	Observation of Subject Property	✓					
<u>8.4</u>	Observation of Adjoining Properties / Surrounding Area	✓					
<u>9.0</u>	Interviews	✓					

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# Common Acronyms

AAI – All Appropriate Inquiry	PCL – Protective Concentration Level
ACBM – Asbestos Containing Building Material	PFAS – Per- and Polyfluoroalkyl Substances
AST – Aboveground Storage Tank	PPM – Parts Per Million
ASTM – American Society for Testing and Materials (2001)	PSH – Phase Separated Hydrocarbons
AUL – Activity and Use Limitation	PUD – Public Utility District
BER – Business Environmental Risk	PUL – Property Use Limitation
BF – Brownfield	RCRA – Resource Conservation and Recovery Act
BTEX – Benzene, Toluene, Ethyl benzene and Xylenes	REC – Recognized Environmental Condition
CERCLA – Comprehensive Environmental Response, Compensation and Liability Act	RRC – Railroad Commission
CERCLIS – Comprehensive Environmental Response, Compensation and Liability Information System	SBA – Small Business Administration
CERCLIS NFRAP – Comprehensive Environmental Response, Compensation and Liability Information System with No Further Remedial Action Planned	SCL – State CERCLIS List
CLI – Closed Landfill Inventory	SPL – State Priority List
CORRACTS – Corrective Action (RCRA)	SVOC – Semi-Volatile Organic Compounds
CREC – Controlled Recognized Environmental Condition	SWLF – Solid Waste Landfill
DCRP – Dry Cleaner Remediation Program	TCEQ – Texas Commission on Environmental Quality
EC – Engineering Control	TDSHS – Texas Department of State Health Services
ESA – Environmental Site Assessment	TNRCC – Texas Natural Resource Conservation Commission
EPA – Environmental Protection Agency	TNRIS – Texas Natural Resource Information System
ERNS – Emergency Response Notification System	TPH – Total Petroleum Hydrocarbons
FOIA – Freedom of Information Act	TRRP – Texas Risk Reduction Program
GWBZ – Groundwater Bearing Zone	TSD – Treatment, Storage and Disposal (RCRA)
HREC – Historical Recognized Environmental Condition	TWC – Texas Water Commission
IBC – Intermediate Bulk Container	TWDB – Texas Water Development Board
IC – Institutional Control	TxDOT – Texas Department of Transportation
IHW – Industrial Hazardous Waste	USACOE – United States Army Corps of Engineers
IOP – Innocent Owner / Operator Program	USDA – United States Department of Agriculture
LPST – Leaking Petroleum Storage Tank	UST – Underground Storage Tank
MUD – Municipal Utility District	USGS – United States Geological Survey
MSD – Municipal Settings Designation	VCP – Voluntary Cleanup Program
MSL – Mean Sea Level	VEC – Vapor Encroachment Condition
MSW – Municipal Solid Waste	VOC – Volatile Organic Compounds
MTBE – Methyl Tertiary-Butyl Ether	WMU – Waste Management Unit
NAPL – Non-Aqueous Phase Liquids	
NPL – National Priority List	
NRCS – Natural Resource Conservation Service	
OSHA – Occupational Safety and Health Administration	
PAH – Polycyclic Aromatic Hydrocarbons	
PCB – Polychlorinated Biphenyl	
PCE – Perchloroethene (Tetrachloroethene)	

# 1.0 Executive Summary

## 1.1 Site Summary

SITE SUMMARY	
Site Element	Comments
Subject Property Address	11941 and 11975 US Highway 190 West and 165 Captains Lane, Livingston, Polk County, Texas 77351
Current Use of Subject Property	Sandy Creek RV Park and single-family residential property
Legal Description	Lots 3 through 7 and 13 through 17, Sandy Creek; Tracts 24-A and 67, Abstract 7, Jno Burgess Survey; and (PP) Water System 1 Well & 74 Connections (per tax records)
Parcel Size	Approximately 9.99 acres (per GIS calculation)
Current Owner	Ronnie, Barbara and LaNell Orsak (per tax records)
Current Uses of Adjoining Properties:	<b>Northeast:</b> Undeveloped land, Lake Livingston Lutheran Church, single-family residential property, Onalaska Fire & Rescue Station, Chevron-branded gasoline filling station, Sandy Food Mart and event / game room of Sandy Creek RV Park <b>Southeast:</b> Sandy Lake and undeveloped land <b>Southwest:</b> Boat launch, undeveloped land and single-family residential property <b>Northwest:</b> Single-family residential property
Site Reconnaissance Date	January 14, 2025
Physical Setting	
Topography	Elevation: Approximately 130-175 feet above mean sea level (msl) General Area Topographic Downgradient: Southeast
Groundwater Flow Direction	East-southeast (See Section 7.0 for more information)
Depth to Groundwater	Approximately 6-10 feet below ground surface (bgs)
Sub-Surface Geology	Lissie Formation (QI)
Underlying Aquifer(s)	Gulf Coast Aquifer
Near Surface Soils	DoB - Doucette loamy fine sand, 1 to 5 percent slopes

## 1.1.1 Historical Use Information

Historical Use Subject Property		
Years	Identified Use(s)	Resource Type(s)
Prior to 1952	Undetermined due to data failure	No information could be obtained other than the earliest available aerial photograph. Data failure was encountered and is not considered significant.
1952 to early-1960s	Undeveloped land	Aerial Photographs and Topographic Map
Late-1960s	Single-family residential property and undeveloped land	Aerial Photograph
Early-1970s	Single-family residential property, RV park and land under development	Aerial Photograph
Late-1970s to mid-2020s	Single-family residential property and RV park	Aerial Photographs, Local Street Directories, Interviews and Property Tax Records

Historical Use Adjoining Properties	
Direction	Historical Use Description
Northeast Adjoining Property	Church, fire station, convenience store, gasoline filling station, RV park event / game room, single-family residential property, land under development and undeveloped land
Southeast Adjoining Property	Boat launch, lake and undeveloped land
Southwest Adjoining Property	Single-family residential property, boat launch, lake and undeveloped land
Northwest Adjoining Property	Single-family residential property and undeveloped land

## 1.2 Data Gap Summary

A Data Gap is a lack of or inability to obtain information required by ASTM E1527-21 despite good faith efforts by the environmental professional to gather such information. Data gaps may result from incompleteness in any of the activities required by this practice, including, but not limited to, site reconnaissance (for example, an inability to conduct the site visit), and interviews (for example, an inability to interview the key site manager, regulatory officials, etc.). This report identifies and comments on significant data gaps that affect the ability of the Environmental Professional to identify recognized environmental conditions and identifies sources of information that were consulted to address the data gaps. A data gap by itself is not inherently significant.

The following table summarizes general areas of the report that may encounter data gaps during the assessment process.

Report Element	Report Section	Data Gap	Description of Data Gap	Significant
<b>Regulatory Agency Records</b>				
Standard Federal, State, Tribal and Local Records Review	5.1	No		
Additional Federal, State, Tribal and Local Records Review	5.2	No		
<b>Historical Sources</b>				
Aerial Photographs	6.1.1	No		
Fire Insurance Rate Maps	6.1.2	N/A		
Topographic Maps	6.1.3	No		
Street Directories	6.1.4	Yes	Street directory listings were unavailable prior to the late-1990s.	No
Property Tax Records	6.1.5	No		
Other Historical Records	6.2	No		
Land Title Records	6.2.1	N/A		
Historical Use of Subject Property	6.3	No		
Historical Use of Adjoining Properties	6.4	No		

Report Element	Report Section	Data Gap	Description of Data Gap	Significant
<b>Site Reconnaissance</b>				
Observations of Subject Property	8.0	Yes	Interior access to the onsite self-storage buildings was unavailable at the time of the site reconnaissance due to locked doors.	No
Observation of Surrounding Properties	8.0	No		
<b>Interviews</b>				
Current Owner	9.1	No		
Key Property Manager	9.1	No		
Occupant(s)	9.1	No		
Past Owners / Managers / Occupants	9.1	N/A		
Adjoining Property Owners / Occupants	9.1	N/A		
Local Health / Environmental Department	9.2	Yes	A public information response has not been received.	No
Local Fire Department	9.2	Yes	A public information response has not been received.	No
Local Building Permit / Inspection Department	9.2	Yes	A public information response has not been received.	No

Any data gaps which were listed as not significant were identified as such based on review of information obtained from site reconnaissance, interviews, standard historical resources, regulatory agency file and records review, additional environmental record sources, and / or professional experience. Data gaps which are not identified as significant do not raise reasonable concerns involving the effects of those data gaps on the ability of the environmental professional to render an opinion regarding whether conditions exist that are indicative of recognized environmental conditions or controlled recognized environmental conditions.

### 1.3 Findings and Opinions

Known or suspect environmental conditions associated with the subject property and the environmental professional's opinion(s) of the impact on the property of known or suspect environmental conditions identified are as follows:

<b><u>FINDING</u></b>
A gasoline filling station operates at a northeast adjoining property.
<b>Standard Environmental Record Sources, Federal, State &amp; Tribal</b>
<p>The northeast adjoining property, addressed as 11941 US Highway 190 West under the names Midway 22 and Sandy Creek Resort Campground, is a registered UST facility and an LPST site. The following is a summary of the regulatory agency listings identified at this facility:</p> <ul style="list-style-type: none"><li>• Two gasoline USTs with volumes of approximately 6,000 and 8,000 gallons were reported to have been installed at this facility prior to 1971. A diesel UST with a volume of approximately 6,000 gallons and a gasoline UST with a volume of approximately 8,000 gallons were reported to have been installed at this facility prior to 1983. These four USTs were reported to have been removed from the ground in May 2000. A petroleum product release was discovered at this facility during UST release determination sampling associated with UST removal operations. This facility was issued an LPST case number in response to the discovered petroleum product impact. Subsequent soil and groundwater investigation activities and multiple groundwater monitoring events were conducted as a part of LPST response and characterization actions. Among the monitoring wells sampled during investigation of this site, the well located at the subject property (MW-5) exhibited no contaminant concentrations exceeding laboratory detection limits during the most recent groundwater monitoring event conducted in June 2010. The TCEQ issued a "No Further Action" letter for this site in September 2010 under conditions showing documented impact remaining in place based on evaluation of identified exposure pathways.</li><li>• A gasoline UST with a volume of approximately 1,000 gallons and a 10,000-gallon UST with a 5,000-gallon gasoline compartment and a 5,000-gallon diesel compartment were installed at this facility in April 2001 and are currently in use. No regulatory agency reported releases were found in connection with the USTs currently in use during records review conducted for this assessment.</li><li>• Compliance investigations were conducted at this facility in March 2012, May 2018, January 2021 and December 2022. No compliance violations are on record for this facility.</li></ul> <p>See Section 5.1 for more information regarding the regulatory agency documentation reviewed during this assessment.</p>
<b>Records Review</b>
<p>The TWDB water well map shows plugged monitoring wells at Sandy Lake to the east of the subject property which are incorrectly mapped at their displayed location. The wells are believed to be located at the northeast adjoining property, addressed as 11941 US Highway 190 West. Well</p>

report information submitted to the TWDB indicates that the wells were installed in August 2008 and February 2009 and plugged in December 2010. The wells are associated with LPST site investigation activities.

Historical street directories and aerial photographs indicate that the northeast adjoining property, addressed as 11915 and 11941 US Highway 190 West, operated as a convenience store and gasoline filling station from the early-1970s to the mid-2020s under the names Sj Foodmart, Sandy Food Mart and Exxon. Historical information and regulatory agency documentation indicate that operational areas at this facility were located hydraulically down-gradient from the subject property; therefore, the gradient would not likely facilitate migration of any releases from this facility to the subject property.

See Sections 5.2 and 6.0 for more information regarding historical sources reviewed during this assessment.

#### **Site Reconnaissance**

The northeast adjoining property across, addressed as 11915 US Highway 190 West, was observed to operate as a Chevron-branded gasoline filling station and convenience store under the name Sandy Food Mart at the time of the site reconnaissance. Fuel dispensers, fill ports, vent pipes and observation wells for petroleum USTs and a plugged monitoring well, indicating prior investigation activities, were observed at this property. No evidence of a hazardous substance or petroleum product release was observed.

See Section 8.0 for more information regarding observations noted during the site reconnaissance.

#### **Interviews and/or Inquiries**

Juan Cuevas, purchaser, indicated the following:

- The reason for the inquiry and need for this report is that the subject property is adjacent to a gas station. The gas station was previously owned by the seller of the subject property. The seller of the subject property indicated to Mr. Cuevas that the tanks were replaced in a timely manner and there was a previous span of time where monitoring wells were installed and came back clean. It is the period of time after the monitoring well results came back clean that is the reason for his concern and inquiry. The owners told him that they used plastic tanks which he understands to be very durable. This survey is really just for the sake of best business practices since he is seeking investors to fund this endeavor.

LaNell and Ronnie Orsak, property owners, indicated the following in connection with this finding:

- A convenience store and gasoline filling station are located at an adjoining property.
- There is currently or has been previously stained soil on the subject property from the adjoining convenience store and gasoline filling station.
- There are currently or have been previously tanks with pipes at the adjoining convenience store and gasoline filling station.
- They have observed leaks, spills or staining at the subject property from the adjoining convenience store and gasoline filling station.
- They have been informed of the existence of hazardous substances or petroleum products at the subject property from the adjoining convenience store and gasoline filling station.

- They are aware of ESAs of the subject property that indicated the presence of hazardous substances or petroleum products on, or the contamination of, the subject property or recommended further assessment of the subject property due to the adjoining convenience store and gasoline filling station.
- There are currently or have been previously wells or pipelines at the subject property and the adjoining convenience store and gasoline filling station.
- Previous environmental reports have been conducted for the adjoining convenience store and gasoline filling station.

See Sections 4.0 and 9.0 for more information regarding interviews and inquiries conducted during this assessment.

#### **OPINION**

There are no indications that the subject property has been impacted as a result of the former UST system at this facility based on the prior sub-surface investigation results and hydraulic gradient direction. This does not represent a recognized environmental condition.

There are no indications that the subject property has been impacted as a result of the current UST system at this facility based on the lack of reported releases associated with the current UST system, lack of violations on record, hydraulic gradient direction and lack of observed releases. This does not represent a recognized environmental condition.

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## 1.4 Conclusions

Phase Engineering, LLC has performed a Phase I Environmental Site Assessment in conformance with the scope and limitations of ASTM Practice E1527-21 of subject property and more fully described within the report. Any exception to, or deletions from, this practice are described in Section 2.0 of this report.

**The user of this ESA report should not draw any conclusions or take any actions based on the included documentation and opinions without reading this ESA report in its entirety.**

### Recognized Environmental Conditions (RECs)

Recognized environmental condition is defined in ASTM Standard E1527-21 as "(1) the presence of hazardous substances or petroleum products in, on, or at the subject property due to a release to the environment; (2) the likely presence of hazardous substances or petroleum products in, on, or at the subject property due to a release or likely release to the environment; or (3) the presence of hazardous substances or petroleum products in, on, or at the subject property under conditions that pose a material threat of a future release to the environment." Phase Engineering, LLC has considered all migration pathways including soil, groundwater and vapor during evaluation of all identified environmental conditions. This assessment has revealed no evidence of recognized environmental conditions in connection with the property.

### Controlled Recognized Environmental Conditions (CRECs)

A controlled recognized environmental condition (CREC) is defined in ASTM Standard E1527-21 as a "recognized environmental condition affecting the subject property that has been addressed to the satisfaction of the applicable regulatory authority or authorities with hazardous substances or petroleum products allowed to remain in place subject to implementation of required controls (for example, activity and use limitations or other property use limitations)." Controlled recognized environmental conditions are recognized environmental conditions. This assessment has revealed no evidence of controlled recognized environmental conditions in connection with the property.

### Historical Recognized Environmental Conditions (HRECs)

A historical recognized environmental condition (HREC) is defined in ASTM Standard E1527-21 as "a previous release of hazardous substances or petroleum products affecting the subject property that has been addressed to the satisfaction of the applicable regulatory authority or authorities and meeting unrestricted use criteria established by the applicable regulatory authority or authorities without subjecting the subject property to any controls (for example, activity and use limitations or other property use limitations)." A historical recognized environmental condition is not a recognized environmental condition. This assessment has revealed no evidence of historical recognized environmental conditions in connection with the property.

### Significant Data Gaps

A significant data gap is defined in ASTM Standard E1527-21 as "a data gap that affects the ability of the environmental professional to identify a recognized environmental condition." This assessment has revealed no significant data gaps.

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## 1.5 Recommendations

The following recommendation is made with respect to the environmental aspects of the subject property:

- No further investigation is required to identify a recognized environmental condition.

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## 2.0 Introduction

### 2.1 Purpose of Assignment

The purpose of this assignment is to prepare a Phase I Environmental Site Assessment Report of the subject property and more fully described in this report; to conduct All Appropriate Inquiry as defined in EPA 40 C.F.R. Part 312, to permit the user to satisfy one of the requirements to qualify for the innocent landowner, contiguous property owner, or bona fide prospective purchaser limitations on liability under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) as amended in 2002; and to identify, to the extent feasible pursuant to the processes prescribed in ASTM Standard E1527-21, recognized environmental conditions in connection with the subject property. All migration pathways and environmental media (i.e. soil, groundwater, vapor) are considered in the determination of recognized environmental conditions.

### 2.2 Scope of Work

The Phase I Environmental Site Assessment was prepared in accordance with the ASTM Standard Practice E1527-21 for Environmental Site Assessments and the EPA Rule on All Appropriate Inquiries and within any additional limitations and deviations noted in the report. The methods and practices by which the Phase I Environmental Site Assessment conforms with the requirements of the ASTM Standard Practice E1527-21 meet or exceed all requirements of the ASTM Standard Practice E1527-13. The general scope of work includes:

- Interviews with past and present owners, operators and occupants;
- Interviews with local government officials;
- Review of historical sources of information;
- Review of federal, state, tribal and local government records;
- Visual inspections of the property and adjoining properties;
- Preparation of report.

The Phase I Environmental Site Assessment does not include:

- Soil, groundwater, or building material sampling;
- Chain of title or environmental lien search beyond the governmental records search for federal, state and tribal institutional control / engineering control registries cited in ASTM E1527-21 section 8.2;
- Any non-scope considerations, unless specifically contracted for, as listed in the ASTM Standard E1527-21 Sections 13.1.5.1 through 13.1.5.16 (see Section 13 of this report).

### 2.3 Significant Assumptions

Phase Engineering, LLC assumes there are no hidden or unapparent environmental conditions of the property, subsoil, groundwater, structures or surroundings which would have an adverse effect on the property. Phase Engineering, LLC assumes no responsibility for such conditions or for engineering or inspections which might be required to discover such conditions.

Record and interview information furnished to Phase Engineering, LLC and contained in the report, were obtained from sources assumed to be reliable and believed to be true and correct. However, Phase Engineering, LLC assumes no responsibility for any inaccuracies in such items which may be revealed as a result of subsequent action, either by Phase Engineering, LLC or others. Accuracy or completeness of record information varies among information sources, including governmental sources. Record information is often inaccurate or incomplete. Numerous sites are considered

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unmapped because the federal or state databases do not adequately define the address and / or location to properly plot the site using standard geo-coding processes. Unmapped sites are generally reviewed using a zip code and street name search. Phase Engineering, LLC is not obligated to identify mistakes or insufficiencies in information provided. Phase Engineering, LLC will make a reasonable effort to compensate for mistakes or insufficiencies in the information reviewed that are obvious in light of other information of which Phase Engineering, LLC has actual knowledge at the time of preparation of the report.

Groundwater flow is assumed to be in the direction of surface topography unless otherwise noted in the report.

## **2.4 Limitations and Exceptions of Assessment**

This report is prepared in general accordance to the ASTM Standard Practice for Environmental Site Assessments in accordance with Standard E1527-21. No non-scope items mentioned in the ASTM Standards of Practice are taken into consideration, except as noted.

The findings and conclusions of this report are based on Phase Engineering, LLC professional opinions of the environmental conditions identified using the methodology described in ASTM Standard E1527-21. If greater certainty is desired by the user of the report, further investigation beyond the scope of the ASTM Standard E1527-21 may be necessary.

Phase Engineering, LLC has estimated neither the cost of the impact on the property nor the costs necessary to eliminate the recognized environmental conditions.

The report was limited to information concerning the observed physical characteristics of the site and adjoining properties, interviews, and standard environmental record sources.

No environmental site assessment can wholly eliminate uncertainty regarding the potential for recognized environmental conditions in connection with a property. Performance of the ASTM Standard is intended to reduce, but not eliminate, uncertainty regarding the potential for recognized environmental conditions in connection with a property, and the practice recognizes reasonable limits of time and cost. The time and cost constraints as agreed to by the user or his representative may deem certain information common to the Phase I Site Assessment process to not be reasonably ascertainable or practically reviewable.

Appropriate inquiry does not mean an exhaustive assessment of a property. There is a point at which the cost of information obtained or the time required to gather it outweighs the usefulness of the information and, in fact, may be a material detriment to the orderly completion of the transaction.

Any sketches, maps, aerial photographs, or similar documents in the report may show approximate locations, property boundaries, or similar information and are included to assist the reader in visualizing the property. Phase Engineering, LLC has made no survey of the site.

Phase Engineering, LLC is not required to give testimony or appear in court or in other hearings or formal discussions regarding the subject property or this assessment unless prior arrangements are made.

Phase Engineering, LLC assumes there are no hidden or unapparent environmental conditions of the site, subsoil, structures or surroundings which would represent a recognized environmental condition. Phase Engineering, LLC assumes no responsibility for such conditions or for actions that might be required to discover such conditions.

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Information obtained from various sources is considered reliable and believed to be true and correct. Phase Engineering, LLC will make a reasonable effort to compensate for mistakes or insufficiencies in the information reviewed that are obvious in light of other information of which Phase Engineering, LLC has actual knowledge. Phase Engineering, LLC assumes no responsibility for any inaccuracies in such items which may be revealed as a result of subsequent action, either by Phase Engineering, LLC or others.

This report is prepared for the sole benefit of the user of the report and may not be relied upon by any other person or entity without the written authorization of and payment of a fee to Phase Engineering, LLC.

The report is valid for a period of 180 days from the date issued. Validity for AAI liability protections may be less. The report may not be used or updated by a third party without written authorization of and payment of a fee to Phase Engineering, LLC

Phase Engineering, LLC provides no legal opinion or advice. Consult a qualified attorney for any items of a legal nature.

## **2.5 Special Terms and Conditions**

No special terms or conditions were applicable to this report.

## **2.6 User Reliance**

This report is prepared for the sole benefit of the user of the report as identified in Section 4.0 of this report and may not be relied upon by any other person or entity without the written authorization of Phase Engineering, LLC. Each subsequent user must satisfy the User's Responsibilities set forth in Section 6 of the ASTM Standard E1527-21 to qualify for the landowner liability protections under CERCLA.

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## 2.7 Viability of the Report

ASTM E1527-21 states that an *environmental site assessment* meeting or exceeding this practice is presumed to be viable when it is conducted within 180 days prior to the date of acquisition of the *subject property* (or, for transactions not involving an acquisition such as a lease or refinance, the date of the intended transaction).

The components of this ESA are presumed to be valid for 180 days after the completion dates below:

<b>Presumed Viability of Report</b>	
<b>Component</b>	<b>Date Completed</b>
Interviews with owners, operators, and occupants	January 9, 2025
Searches for recorded environmental cleanup liens	Not applicable (this component is a user responsibility)
Reviews of federal, tribal, state and local government records	January 8, 2025
Visual inspections of the subject property and of adjoining properties	January 14, 2025
The declaration by the environmental professional responsible for the assessment or update	January 21, 2025

## 3.0 Site Description

### 3.1 Subject Property Location and Description

Subject Property Address	11941 and 11975 US Highway 190 West and 165 Captains Lane, Livingston, Polk County, Texas 77351
General Location	An area location map and a site sketch are located in Appendix I of this report.
Legal Description	Lots 3 through 7 and 13 through 17, Sandy Creek; Tracts 24-A and 67, Abstract 7, Jno Burgess Survey; and (PP) Water System 1 Well & 74 Connections (per tax records)
Current Owner(s)	Ronnie, Barbara and LaNell Orsak (per tax records)

### 3.2 Current Use of Subject Property

Current Use(s) of the Subject Property	Sandy Creek RV Park and single-family residential property
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### 3.3 Current Uses of Adjoining Properties

To the Northeast	Undeveloped land, Lake Livingston Lutheran Church, single-family residential property, Onalaska Fire & Rescue Station, Chevron-branded gasoline filling station, Sandy Food Mart and event / game room of Sandy Creek RV Park
To the Southeast	Sandy Lake and undeveloped land
To the Southwest	Boat launch, undeveloped land and single-family residential property
To the Northwest	Single-family residential property

## 3.4 Description of Onsite Structures, Roads and Other Improvements

### 3.4.1 Onsite Structures

The following structures are located at the subject property:

<b>Laundry Room</b>	
Year Built	Between 1995 and 2004 (per aerial photographs)
Number of Floors	One (1)
Foundation Type	Slab-on-grade
Exterior Finish Type(s)	Metal
Heating Fuel Source	Not Applicable
Description of Building Use / Occupant	Laundry room / Sandy Creek RV Park

<b>Single-Family Residence 11975 US Highway 190 West</b>	
Year Built	1975 (per tax records)

Number of Floors	Two (2)
Foundation Type	Slab-on-grade
Exterior Finish Type(s)	Wood
Heating Fuel Source	Gas fired
Description of Building Use / Occupant	Single-family residence

<b>Single-Family Residence 165 Captains Lane</b>	
Year Built	1986 (per tax records)
Number of Floors	Two (2)
Foundation Type	Slab-on-grade
Exterior Finish Type(s)	Wood
Heating Fuel Source	Gas fired
Description of Building Use / Occupant	Single-family residence

### 3.4.2 Streets, Roads and / or Public Thoroughfares

The following streets, roads and / or public thoroughfares were observed onsite or adjacent to the subject property:

Name of Street / Road	Location of Street / Road
Swiggers Hill	Traverses Subject Property
US Highway 190 West	Northeast
Harbor Light Drive	Southwest
Captains Lane	Northwest

### 3.4.3 Other Improvements / Utilities at the Subject Property

The following utilities and other improvements were identified at the subject property:

Potable Water Supply / Source	Onsite water well
Sewage Disposal System	Onsite septic system
Other Improvements	Mobile home office Mobile homes Self-storage buildings Storage sheds RV parking spots

## 4.0 User Provided Information

### 4.1 User Responsibilities Information

User(s) of this report: Uncontained Living

In order to qualify for one of the *Landowner Liability Protections* (LLPs) offered by the Small Business Liability Relief and Brownfields Revitalization Act of 2001 (the "*Brownfields Amendments*") the user *must* conduct the following inquiries required by 40 C.F.R. §312.25, §312.28, §312.29, §312.30 and §312.31. These inquiries must also be conducted by EPA Brownfield Assessment and Characterization grantees. The *user* should provide the following information (if available) to the *environmental professional*. Failure to conduct these inquiries (or where the user has not provided conclusive answers) could result in a determination that "*all appropriate inquiries*" is not complete.

*If any user of this report desires Landowner Liability Protections* (LLPs) offered by the Small Business Liability Relief and Brownfields Revitalization Act of 2001, the user should complete the "user responsibilities" included in Appendix V.

The following information was filled out by Juan Cuevas (purchaser):

Question	Response
<b>1. Environmental cleanup liens that are filed or recorded against the property (40 C.F.R. §312.25).</b>	
Did a search of recorded land title records (or judicial records where appropriate) identify any environmental liens filed or recorded against the property under federal, tribal, state or local law?	No
<b>2. Activity and land use (AUL's) limitations that are in place on the site or that have been filed or recorded in a registry (40 C.F.R. §312.26(a)(1)(v) and vi)).</b>	
Did a search of <i>recorded land title records</i> (or judicial records where appropriate) identify any AULs, such as <i>engineering controls</i> , land use restrictions or <i>institutional controls</i> that are in place of the property and / or have been filed or recorded against the property under federal, tribal, state or local law?	No
<b>3. Specialized knowledge or experience of the person seeking to qualify for the LLP (40 C.F.R. §312.28).</b>	
Do you have any specialized knowledge or experience related to the property or nearby properties? For example, are you involved in the same line of business as the current or former occupants of the property or an adjoining property so that you would have specialized knowledge of the chemicals and processes used by this type of business?	No

Question	Response
<b>4. Relationship to the purchase price to the fair market value of the property if it were not contaminated (40 C.F.R. §312.29).</b>	
Does the purchase price being paid for this property reasonably reflect the fair market value of the property?	Yes
If you conclude that there is a difference, have you considered whether the lower purchase price is because contamination is known or believed to be present at the property?	No
<b>5. Commonly known or reasonably ascertainable information about the property (40 C.F.R. §312.30).</b>	
<b>Are you aware of commonly known or reasonably ascertainable information about the property that would help Phase Engineering, LLC to identify conditions indicative of releases or threatened releases? For example, as user,</b>	
(a.) Do you know the past uses of the property?	Yes
(b.) Do you know of specific chemicals that are present or once were present at the property?	No
(c.) Do you know of spills or other chemical releases that have taken place at the property?	No
(d.) Do you know of any environmental cleanups that have taken place at the property?	No
<b>6. The degree of obviousness of the presence or likely presence of contamination at the property, and the ability to detect the contamination by appropriate investigation (40 C.F.R. §312.31).</b>	
As the user of this ESA, based on your knowledge and experience related to the property are there any obvious indicators that point to the presence or likely presence of contamination at the property?	No

#### 4.1.1 User Responsibility Questionnaire Comments

Juan Cuevas, purchaser, indicated the following:

- The reason for the inquiry and need for this report is that the subject property is adjacent to a gas station. The gas station was previously owned by the seller of the subject property. The seller of the subject property indicated to Mr. Cuevas that the tanks were replaced in a timely manner and there was a previous span of time where monitoring wells were installed and came back clean. It is the period of time after the monitoring well results came back clean that is the reason for his concern and inquiry. The owners told him that they used plastic tanks which he understands to be very durable. This survey is really just for the sake of best business practices since he is seeking investors to fund this endeavor.

#### 4.2 Reason for Performing Phase I

As per ASTM Standard E1527-21, it is the user's responsibility to identify the reason for performing the Environmental Site Assessment, which may include, among other reasons, the intention to satisfy one of the requirements to qualify for one of the landowner liability protections under

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CERCLA. If no reason for performing the Environmental Site Assessment is provided by the user, it is assumed the report is to conduct all appropriate inquiry to satisfy one of the landowner liability protections under CERCLA.

## 5.0 Records Review

The purpose of the records review is to obtain and review records that will help identify recognized environmental conditions in connection with the subject property.

### 5.1 Standard Environmental Record Sources, Federal, State & Tribal

The following federal, state and tribal environmental records were searched. This information was provided by AAI Environmental Data and is subject to the AAI Data Disclaimer. Full descriptions on the search and facilities located are included in Appendix IV. The AAI Data summary is as follows:

Source	Environmental Record	ASTM Search Distance (miles)	Subject Property	Adjoining Property	1/2 Mile	1 Mile	Total
<b>Federal Sites</b>							
EPA	SEMS**	1.000	0	0	0	0	0
EPA	RCRA***	Adjoining*	0	1	0	0	1
EPA	RCRA TSDF	0.500	0	0	0	0	0
EPA	RCRA CORRACT	1.000	0	0	0	0	0
NRC	ERNS	Subject Property	0	0	0	0	0
<b>State and Tribal Sites</b>							
TCEQ	SPL (NPL / CERCLIS)	1.000	0	0	0	0	0
TCEQ	MSW	0.500	0	0	0	0	0
TCEQ	CLI	0.500	0	0	0	0	0
TCEQ	AST	Adjoining*	0	0	0	0	0
TCEQ	UST	Adjoining*	0	1	0	0	1
TCEQ	LPST	0.500	0	1	0	0	1
TCEQ	RDR	Adjoining*	0	1	0	0	1
TCEQ	IOP	0.500	0	0	0	0	0
TCEQ	VCP	0.500	0	0	0	0	0
RRC TX	RRC-VCP	0.500	0	0	0	0	0
TCEQ	BROWNFIELD	0.500	0	0	0	0	0
TCEQ	IHW	Adjoining*	0	0	0	0	0
TCEQ	IHWCA	0.500	0	0	0	0	0
RRC TX	RRC-BRP	0.500	0	0	0	0	0
<b>Supplemental Databases</b>							
TCEQ	MSD	1.000	0	0	0	0	0
TCEQ	DCR	0.500	0	0	0	0	0
TCEQ	DCRP	0.500	0	0	0	0	0
EPA	ACRES	0.500	0	0	0	0	0
*Adjoining properties are defined as being within a search radius of 0.25 mi. from the subject property boundaries.							
**SEMS includes CERCLIS, NPL, NPL delisted, NFRAP, and IC / EC							
***RCRA includes RCRA and IC / EC							
<b>Ungeocoded Sites</b>							
<b>Environmental Records</b>		<b>ASTM Search Distance (miles)</b>		<b>Total Identified</b>			
Federal / State/ Tribal		Subject Property - 1.0 mile		None			

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## Ungeocoded Sites

Numerous sites / facilities are considered ungeocoded because the federal, state or local databases do not adequately define or represent the address and / or location to properly plot the site using standard geo-coding processes. Ungeocoded sites are generally reviewed using a zip code and street name search.

There were no ungeocoded sites identified under this assessment.

## Superfund Enterprise Management System (SEMS)

Effective January 31, 2014, the Superfund program decommissioned CERCLIS and transitioned to the Superfund Enterprise Management System (SEMS). CERCLIS (Comprehensive Environmental Response, Compensation and Liability Information System) was a database used by the U.S. Environmental Protection Agency (EPA) to track activities under its Superfund program. The reports previously generated by the CERCLIS legacy system are now updated with SEMS – the Superfund Enterprise Management System – and include the same data and content. This database is the source for CERCLIS, NPL, NPL Delisted, NFRAP and IC / EC.

### **CERCLIS (Comprehensive Environmental Response, Compensation and Liability Information System)**

The CERCLIS List previously contained sites which are either proposed to or on the National Priorities List (NPL) and sites which are in the screening and assessment phase for possible inclusion on the NPL. The information on each site included a history of all pre-remedial, remedial, removal and community relations activities or events at the site, financial funding information for the events, and unrestricted enforcement activities.

### **CERCLIS NFRAP(Comprehensive Environmental Response, Compensation and Liability Information System / No Further Remedial Action Planned)**

NFRAP sites may be sites where, following an initial investigation, no contamination was found, contamination was removed quickly, or the contamination was not serious enough to require Federal Superfund action, CERCLA or NPL consideration.

### **NPL (National Priority List)**

The NPL list compiled by EPA pursuant to CERCLA 42 U.S.C. § 9605(a)(8)(B) of properties with the highest priority for cleanup pursuant to EPA's Hazard Ranking System. See 40 C.F.R. Part 300.

### **NPL Delisted (National Priority List - Delisted)**

Deletion of sites from the NPL may occur once all response actions are complete and all cleanup goals have been achieved. EPA is responsible for processing deletions with concurrence from the State. Deleted sites may still require five-year reviews to assess protectiveness. If future site conditions warrant, additional response actions can be taken, using the Superfund Trust Fund or by Potentially Responsible Parties. Relisting on the NPL is not necessary; however, sites can be restored to the NPL if extensive response work is required. EPA can also delete portions of sites that meet deletion criteria.

### **Federal Institutional Control / Engineering Control (IC / EC) Registries**

Land Use Controls (LUCs) - Land Use controls may consist of Institutional Controls (ICs) and Engineering Controls (ECs). LUCs help to minimize the potential for exposure to contamination and / or protect the integrity of a response action and are typically designed to work by limiting land and / or resource use or by providing information that helps modify or guide human behavior at

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a site. Institutional Controls (ICs) are non-engineering measures and are almost always used in conjunction with, or as a supplement to, other measures such as waste treatment or containment. There are four categories of ICs: Governmental Controls (zoning restrictions, ordinances, statutes, building permits or other provisions that restrict land or resource use at a site), Proprietary Controls (easements, covenants, Deed Restrictions), Enforcement and Permit Tools (consent decrees, administrative orders), and Informational Devices (State Registries of contaminated sites, deed notices and advisories). ICs are used when contamination is first discovered, when remedies are ongoing and when residual contamination remains onsite at a level that does not allow for unlimited use and unrestricted exposure after cleanup. Engineering Controls (ECs) encompass a variety of engineered and constructed physical barriers to contain and / or prevent exposure to contamination on a property. ECs are often installed during cleanup as a condition of a no further action determination and are generally intended to be in place for long periods of time.

## **Resource Conservation and Recovery Act (RCRA) Corrective Action Facilities (CORRACTS)**

Hazardous waste treatment, storage, or disposal facilities and other RCRA-regulated facilities (due to past interim status or storage of hazardous wastes beyond 90 days) that have been notified by the U.S. Environmental Protection Agency to undertake corrective action under RCRA. The CORRACTS list is a subset of the EPA database that manages RCRA data.

## **Resource Conservation and Recovery Act (RCRA) Non-CORRACTS Hazardous Waste Treatment, Storage, and Disposal Facilities (TSD)**

Those facilities on which treatment, storage and / or disposal of hazardous wastes takes place, as defined and regulated by RCRA.

## **Resource Conservation and Recovery Act (RCRA) Generators of Hazardous Wastes**

RCRA Resource Conservation and Recovery Act Information - RCRAInfo is the U.S. Environmental Protection Agency's comprehensive information and inventory system that supports the RCRA (1976) and HSWA (1984) through the tracking of events and activities regarding permit/closure status, compliance with Federal and State regulations and cleanup activities at facilities that generate, treat, store or dispose of hazardous waste. Information on cleaning up after accidents or other activities that result in a release of hazardous materials to the water, air or land is also reported through RCRAInfo. Corrective Action is a requirement under RCRA which requires TSD facilities owners and operators to investigate and cleanup hazardous waste releases into soil, groundwater, surface water and air.

## **Emergency Response Notification System (ERNS)**

The ERNS program is a cooperative data sharing effort among the Environmental Protection Agency (EPA) Headquarters, the Department of Transportation (DOT), National Transportation Systems Center (NTSC), the ten EPA Regions, the U.S. Coast Guard (USCG), and the National Response Center (NRC). ERNS provide the most comprehensive data compiled on notifications of oil discharges and hazardous substances releases in the United States. The types of release reports that are available in ERNS fall into three major categories: substances designated as hazardous substances under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended; oil and petroleum products (Clean Water Act of 1972), as amended by the Oil Pollution Act of 1990; and all other types of materials. EARNs is a database of initial

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notifications and not incidents, so there are limitations to the data. There may be multiple reports for a single incident, and because reports are taken over the phone, misspellings, and locational information limit the quality of some data.

## **State / Tribal Equivalent - National Priority List (NPL)**

This list is the state / tribal equivalent to the EPA NPL list.

## **State / Tribal Equivalent Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS) (SCL)**

This list is the state / tribal equivalent to the EPA CERCLIS list.

## **State / Tribal Voluntary Cleanup Program Sites**

List of state / tribal sites undergoing investigation, remediation and / or response action under the applicable state / tribal environmental regulatory agency.

## **Solid Waste Landfills (SWLF)**

List of landfills, transfer stations, sludge application sites, illegal dump sites, recycling facilities, and medical waste generators and transporters.

## **Leaking Petroleum Storage Tank Sites (LPST)**

State lists of leaking underground storage tank sites. RCRA gives EPA and states, under cooperative agreements with the EPA, authority to cleanup releases from UST systems or require owners and operators to do so. (42 U.S.C. § 6991b).

## **Registered Storage Tanks**

Underground storage tanks (USTs) - Any tank, including underground piping connected to the tank, that is or has been used to contain hazardous substances or petroleum products and the volume of which is 10% or more beneath the surface of the ground.

Aboveground storage tanks (ASTs) - Any tank, including aboveground piping connected to the tank, that is or has been used to contain hazardous substances or petroleum products and the volume of which is 90% or more above the surface of the ground.

## **State / Tribal Institutional Control / Engineering Control Registries**

Engineering Controls (EC) – Physical modifications to a site or facility (for example, capping, slurry walls, or point of use water treatment) to reduce or eliminate the potential for exposure to hazardous substances or petroleum products in the soil or groundwater on the property. Engineering controls are a type of activity and use limitation (AUL).

Institutional Controls (IC) – A legal or administrative restriction (for example, “deed restrictions,” restrictive covenants, easements, or zoning) on the use of, or access to, a site or facility to (1) reduce or eliminate potential exposure to hazardous substances or petroleum products in the soil or ground water on the property, or (2) to prevent activities that could interfere with the effectiveness of a response action, in order to ensure maintenance of a condition of no significant risk to public health or the environment. An institutional control is a type of Activity and Use Limitation (AUL).

IC / EC Registries – Databases of institutional controls or engineering controls that may be maintained by a federal, state or local environmental agency for purposes of tracking sites that may contain residual contamination and AULs. The names for these may vary from program to program and state to state.

## Federal / State / Tribal Brownfields

### **Federal - ACRES Assessment, Cleanup and Redevelopment Exchange System (EPA Brownfield)**

The EPA's ACRES database stores information reported by EPA Brownfields Grantees on Brownfields properties assessed or cleaned up with grant funding as well as information on Targeted Brownfields Assessments performed by EPA Regions. Recipients are awarded EPA Brownfields funding to address hazardous substances and / or petroleum contamination at brownfield properties. The EPA's Brownfields Program is designed to empower states, communities, and other stakeholders in economic redevelopment to work together in a timely manner to prevent, assess, safely clean up, and sustainably reuse brownfields.

### **State / Tribal - Brownfields Site Assessments (BSA)**

The BSA Program administers a grant provided by the EPA to perform Brownfields site assessment for local governments and non-profit organizations who are not responsible parties. State and local agencies work in close partnership with the EPA and other federal, state, and local redevelopment agencies, and stakeholders, to facilitate cleanup, transfer and revitalization of Brownfields through the development of regulatory, tax, and technical assistance tools.

Site Summary Table							
Map ID#	Type	Facility ID#	Facility Name	Address	Distance (mi) / Direction	Apparent Impact to Subject Property	Justification
1	LPST	115037	SANDY CREEK RESORT CAMPGROUND	11941 U S HIGHWAY 190 W	0.01 E	No	See information in table below
2	RDR	968	SANDY CREEK RESORT & CAMP	11811 HWY 190 WEST	0.01 E	No	See information in table below
3	UST	15876	MIDWAY 22	11941 U S HIGHWAY 190 W	0.01 E	No	See information in table below
4	RCRA	TXR000082172	BILL JONES EQUIPMENT CO., INC.	314 FM 3152	0.22 NE	No	Distance

Phase Engineering, LLC has made an attempt to review regulatory agency files to determine if the subject property or any of the adjoining properties have been identified on one or more of the standard environmental record sources per ASTM Standard Practice E1527-21 Section 8.2.2. The purpose of the regulatory file review is to obtain sufficient information to assist the environmental professional in determining if a recognized environmental condition, historical recognized environmental condition, controlled recognized environmental condition or a *de minimis* condition exists at the subject property in connection with the listing. Regulatory agency files were also reviewed for sites identified from standard environmental record sources at nearby surrounding properties in cases where they appeared to represent a potential source of environmental concern to the subject property. Phase Engineering, LLC has provided copies of the relevant reviewed regulatory agency file information in Appendix IV of this report. If this information has been determined to be of a file size that is impractical to provide in Appendix IV, then this information will be provided at the request of the user of this report under separate cover. Some of the regulatory

documentation has been deemed not to be reasonably ascertainable due to (1) information that is not publicly available, (2) information that is not obtainable from its source within reasonable time and cost constraints, and (3) information that is not practically reviewable (ASTM Standard Practice E1527-21 Section 8.1.4). If a regulatory agency file review is not warranted or is not reasonably ascertainable, then Phase Engineering, LLC has provided an explanation within this report for not conducting the applicable regulatory agency file review.

## 5.1.1 Summary of Critical Identified Sites

The northeast adjoining property, addressed as 11941 US Highway 190 West under the names Midway 22 and Sandy Creek Resort Campground, is a registered UST facility and an LPST site. The following is a summary of the regulatory agency listings identified at this facility:

- Two gasoline USTs with volumes of approximately 6,000 and 8,000 gallons were reported to have been installed at this facility prior to 1971. A diesel UST with a volume of approximately 6,000 gallons and a gasoline UST with a volume of approximately 8,000 gallons were reported to have been installed at this facility prior to 1983. These four USTs were reported to have been removed from the ground in May 2000. A petroleum product release was discovered at this facility during UST release determination sampling associated with UST removal operations. This facility was issued an LPST case number in response to the discovered petroleum product impact. Subsequent soil and groundwater investigation activities and multiple groundwater monitoring events were conducted as a part of LPST response and characterization actions. Among the monitoring wells sampled during investigation of this site, the well located at the subject property (MW-5) exhibited no contaminant concentrations exceeding laboratory detection limits during the most recent groundwater monitoring event conducted in June 2010. The TCEQ issued a "No Further Action" letter for this site in September 2010 under conditions showing documented impact remaining in place based on evaluation of identified exposure pathways.
- A gasoline UST with a volume of approximately 1,000 gallons and a 10,000-gallon UST with a 5,000-gallon gasoline compartment and a 5,000-gallon diesel compartment were installed at this facility in April 2001 and are currently in use. No regulatory agency reported releases were found in connection with the USTs currently in use during records review conducted for this assessment.
- Compliance investigations were conducted at this facility in March 2012, May 2018, January 2021 and December 2022. No compliance violations are on record for this facility.

The remaining site listed on the database is not the subject property or an adjoining property. There is no indication that the site identified in the ASTM Standard Environmental Record Sources search has had or will have an environmental impact to the subject property. Phase Engineering, LLC has the opinion that, based on distance, direction, status or other justifications, it does not appear the subject property has been impacted from this remaining facility.

## 5.2 Additional Environmental Record Sources

To enhance and supplement the ASTM E1527-21 environmental record sources in 8.2.2, local records and / or additional federal, state, or tribal records shall be checked when, in the judgment of the environmental professional, such additional records (1) are reasonably ascertainable, (2) are sufficiently useful, accurate, and complete in light of the objective of the records review (see 8.1.1), and (3) are generally obtained, pursuant to local good commercial and customary practice, in initial environmental site assessments in the type of commercial real estate transaction involved. To the extent additional sources are used to supplement the same record types listed in 8.2.2, approximate minimum search distances should not be less than those specified above (adjusted as provided in 8.1.2.1 and 8.2.2). Phase Engineering, LLC has reviewed additional environmental record sources and has included these sources in this report when the record sources were reasonably ascertainable, sufficiently useful and generally obtained, pursuant to local good commercial or customary practice.

### 5.2.1 Oil / Gas Wells and Pipelines

The Texas Railroad Commission (RRC) map was reviewed for this assessment. Other oil / gas well and pipeline map sources may be available for review but were not considered during the preparation of this report. See map in Appendix I.

<b>Oil and Gas Well and Pipeline Map(s)</b>		
<b>Item of Concern</b>	<b>Feature Present?</b>	<b>Details of Identified Feature</b>
<b>Subject Property</b>		
Oil / gas well(s)	No	
Plugged well(s)	No	
Permitted location(s)	No	
Dry hole(s)	No	
Pipeline(s)	No	
Other notable features	N/A	
<b>Adjoining Properties</b>		
Oil / gas well(s)	No	
Plugged well(s)	No	
Permitted location(s)	No	
Dry hole(s)	No	
Pipeline(s)	No	
Other notable features	N/A	

## 5.2.2 Well Records

The Texas Water Development Board (TWDB) map was reviewed for this assessment. Other water well map sources may be available for review but were not considered during the preparation of this report. See map in Appendix I.

<b>Water Well Map</b>		
<b>Item of Concern</b>	<b>Feature Present?</b>	<b>Details of Identified Feature</b>
<b>Subject Property</b>		
Water well(s)	Yes	A public supply water well is mapped at the subject property.
Monitoring well(s)	No	
Plugged well(s)	No	
Other notable features	No	
<b>Adjoining Properties</b>		
Water well(s)	No	
Monitoring well(s)	No	
Plugged well(s)	Yes	Plugged monitoring wells are shown at Sandy Lake to the east of the subject property which are incorrectly mapped at their displayed location. The wells are believed to be located at the northeast adjoining property, addressed as 11941 US Highway 190 West.
Other notable features	No	

## 5.2.3 Summary of Environmental Concerns Identified During Additional Environmental Record Sources Review

The TWDB water well map shows plugged monitoring wells at Sandy Lake to the east of the subject property which are incorrectly mapped at their displayed location. The wells are believed to be located at the northeast adjoining property, addressed as 11941 US Highway 190 West. Well report information submitted to the TWDB indicates that the wells were installed in August 2008 and February 2009 and plugged in December 2010. The wells are associated with LPST site investigation activities.

## 6.0 Historical Records Review

The objective of compiling and analyzing historical property information and developing a history of the previous uses of the subject property, adjoining properties, and surrounding area is to help identify the likelihood of past uses having led to recognized environmental conditions in connection with the subject property. Property uses in the surrounding area beyond the subject property and adjoining properties were not identified except where they appeared to present information significant to recognized environmental conditions in connection with the subject property, in accordance with the ASTM Standard E1527-21 Section 8.3.10.

### 6.1 Standard Historical Resources

Historical sources were consulted to determine prior usage and potential environmental problem areas likely to lead to recognized environmental conditions at the subject property, adjoining properties and surrounding area, including the following:

#### 6.1.1 Aerial Photographs

Aerial photographs were reviewed for use which would indicate areas of environmental concern. The aerial photographs did not indicate any usage except as noted in this report and are included in Appendix I. The following aerial photographs were reviewed as part of this assessment:

Aerial Photograph Years	Improvement / Usage Types	Identified Areas of Concern
<b>Subject Property</b>		
2023, 2020, 2018, 2015, 2012, 2009, 2004, 1995, 1982, 1979	Residential Storage	No areas of concern
1972	Residential Land under development	No areas of concern
1968	Residential	No areas of concern
1958, 1952	No improvements	No areas of concern

Aerial Photograph Years	Improvement / Usage Types	Identified Areas of Concern
<b>Property to the Northeast</b>		
2023, 2020	Right-of-way Commercial Residential	Canopy indicative of gasoline station operations
2018	Right-of-way Commercial Residential Land under development	Canopy indicative of gasoline station operations
2015, 2012, 2009, 2004, 1995	Right-of-way Commercial Residential	Canopy indicative of gasoline station operations
1982, 1979, 1972	Right-of-way Commercial Residential	No areas of concern

<b>Aerial Photograph Years</b>	<b>Improvement / Usage Types</b>	<b>Identified Areas of Concern</b>
1968	Right-of-way Land under development	No areas of concern
1958, 1952	Right-of-way	No areas of concern

<b>Aerial Photograph Years</b>	<b>Improvement / Usage Types</b>	<b>Identified Areas of Concern</b>
<b>Property to the Southeast</b>		
2023, 2020, 2018, 2015, 2012, 2009, 2004, 1995	Surface water related Recreational	No areas of concern
1982, 1979, 1972, 1968, 1958, 1952	Surface water related	No areas of concern

<b>Aerial Photograph Years</b>	<b>Improvement / Usage Types</b>	<b>Identified Areas of Concern</b>
<b>Property to the Southwest</b>		
2023, 2020, 2018, 2015, 2012, 2009, 2004, 1995, 1982	Right-of-way Residential Surface water related Recreational	No areas of concern
1979, 1972	Right-of-way Residential Surface water related	No areas of concern
1968, 1958, 1952	No improvements	No areas of concern

<b>Aerial Photograph Years</b>	<b>Improvement / Usage Types</b>	<b>Identified Areas of Concern</b>
<b>Property to the Northwest</b>		
2023, 2020, 2018, 2015, 2012, 2009, 2004, 1995, 1982, 1979, 1972	Right-of-way Residential	No areas of concern
1968	Right-of-way Land under development	No areas of concern
1958, 1952	No improvements	No areas of concern

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## 6.1.2 Fire Insurance Maps

In the late nineteenth century, public entities and private companies began preparing maps of central business districts and other developed corridors for use by fire insurance companies and governmental fire regulatory programs. These maps were updated and expanded geographically periodically throughout the twentieth century. The maps often indicate construction materials of specific building structures and the location of potential fire hazards such as gasoline tanks.

Fire insurance rate map coverage was not available for the subject property area.

## 6.1.3 USGS 7.5 Minute Topographic Map

Topographic maps were reviewed for use which would indicate areas of environmental concern. The topographic maps did not indicate any usage except as noted in this report and are included in Appendix I. The following topographic maps were reviewed for this assessment:

Topographic Maps	
Year	Indication of Environmental Concerns and / or Suspect Land Uses
2022, 2013, 1991, 1985, 1974, 1962	No areas of environmental concern are shown on the subject property or adjoining properties.

## 6.1.4 Local Street Directories

Street directories were attempted to have been reviewed at a minimum of five year intervals for usage listings and / or property use changes via Data Axle Reference Solutions, Phone Disc, Worley's, Johnson's, Cole's, Kriss Kross, Morrison and Fourmy's, R.L. Polk's, other publisher cross reference directories and / or other directory resources that were publicly available and reasonably ascertainable.

See Street directory summary table on the following pages.

CITY DIRECTORY SUMMARY REPORT

Research Summary			
Year(s)	Publisher	Coverage Area	City
2023	Data Axle Reference Solutions	United States	Livingston
2021	Data Axle Reference Solutions	United States	Livingston
2019	Data Axle Reference Solutions	United States	Livingston
2017	Data Axle Reference Solutions	United States	Livingston
2015	Data Axle Reference Solutions	United States	Livingston
2013	Data Axle Reference Solutions	United States	Livingston
2011	Data Axle Reference Solutions	United States	Livingston
2009	Data Axle Reference Solutions	United States	Livingston
2007	Data Axle Reference Solutions	United States	Livingston
2005	Data Axle Reference Solutions	United States	Livingston
2003	Data Axle Reference Solutions	United States	Livingston
2001	Data Axle Reference Solutions	United States	Livingston
1999	Data Axle Reference Solutions	United States	Livingston
1997	Data Axle Reference Solutions	United States	Livingston

Notes / Comments:

Street directory listings were prepared from resources with available coverage at the subject property and / or adjoining properties. Listed property addresses may have been subject to change by local government authorities since the time when they were initially recorded. Street directories were not researched for properties which were identified from other historical sources as exclusively residential.

Subject Property	2023	2021	2019	2017	2015	2013	2011	2009	2007	2005	2003	2001	1999	1997
165 Captains Lane	NL	NL	NL	NL	NL	NL	NL	NL	NL	NL	NL	NL	NL	NL
111-177 Swiggers Hill	NL	NL	NL	NL	NL	NL	NL	NL	NL	NL	NL	NL	NL	NL
11941 US Highway 190 West	Sandy Creek Resort & Campground / Sj Foodmart	Exxon / Sandy Creek Resort & Campground / Sj Foodmart	Exxon / Sandy Creek Resort & Campground / Sj Foodmart	Sj Foodmart	Sandy Creek Marina	Sandy Creek Marina / Sandy Creek Resort & Campground	Sandy Creek Marina / Sandy Creek Resort & Campground	Sandy Creek Marina / Sandy Creek Resort & Campground	Sandy Creek Resort & Campground	Sandy Creek Resort & Campground	NL	NL	NL	NL
11975 US Highway 190 West	NL	NL	NL	NL	NL	NL	NL	NL	NL	NL	NL	NL	NL	NL

Northeast Adjoining Property	2023	2021	2019	2017	2015	2013	2011	2009	2007	2005	2003	2001	1999	1997
491 Doug Anderson Lane	NL	NL	NL	NL	NL	NL	NL	NL	NL	NL	NL	NL	NL	NL
144 FM 3152 Road	NL	NL	NL	NL	NL	NL	NL	NL	NL	NL	NL	NL	NL	NL
195 FM 3152 Road	NL	NL	NL	NL	NL	NL	NL	NL	NL	NL	NL	NL	NL	NL
199 FM 3152 Road	NL	NL	NL	NL	NL	NL	NL	NL	NL	NL	NL	NL	NL	NL
11811 US Highway 190 West	NL	NL	NL	NL	NL	NL	NL	NL	NL	NL	Sandy Creek Resort & Campground	NL	Sandy Creek Rv Park & Marina	Sandy Creek Marina Inc
11915 US Highway 190 West	Sandy Food Mart	Sandy Food Mart	Sandy Food Mart	NL	NL	NL	NL	NL	NL	NL	NL	NL	NL	NL
11933 US Highway 190 West	NL	NL	NL	NL	NL	NL	NL	NL	NL	NL	NL	NL	NL	NL
11941 US Highway 190 West	Sandy Creek Resort & Campground / Sj Foodmart	Exxon / Sandy Creek Resort & Campground / Sj Foodmart	Exxon / Sandy Creek Resort & Campground / Sj Foodmart	Sj Foodmart	Sandy Creek Marina	Sandy Creek Marina / Sandy Creek Resort & Campground	Sandy Creek Marina / Sandy Creek Resort & Campground	Sandy Creek Marina / Sandy Creek Resort & Campground	Sandy Creek Resort & Campground	Sandy Creek Resort & Campground	NL	NL	NL	NL
11990 US Highway 190 West	NL	NL	NL	NL	NL	NL	NL	NL	NL	NL	NL	NL	NL	NL

Southeast Adjoining Property	2023	2021	2019	2017	2015	2013	2011	2009	2007	2005	2003	2001	1999	1997
No applicable addresses were found	N/A													

Southwest Adjoining Property	2023	2021	2019	2017	2015	2013	2011	2009	2007	2005	2003	2001	1999	1997
111-195 (odd) Harborlight	Residential improvements only													
200 Harborlight	Residential improvements only													
260 Harborlight	Residential improvements only													

Northwest Adjoining Property	2023	2021	2019	2017	2015	2013	2011	2009	2007	2005	2003	2001	1999	1997
125-191 (odd) Sandy Ridge Drive	Residential improvements only													

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## **6.1.5 Property Tax Files**

Polk County Appraisal District tax records show that the subject property is owned by Ronnie, Barbara and LaNell Orsak. The property tax records are located in Appendix III.

## **6.2 Other Historical Sources**

According to ASTM E1527-21, other historical sources not already addressed in the standard include but are not limited to: miscellaneous maps, news articles, books about the history of the area being researched, imagery, land title records, newspaper archives, internet sites, community organizations, local libraries, government agencies, historical societies, current owners or occupants of surrounding properties or records in the files and / or personal knowledge of owners and / or occupants. Other historical resources may be used to satisfy the objective of compiling and analyzing historical property information to assist with satisfying the historical research objectives identified in ASTM E1527-21 Section 8.3.1.

### **6.2.1 Land Title Records & Environmental Lien Searches**

As per agreement with the user of this report, a title search was not conducted for this assessment and was not provided by the user for review.

No recorded Institutional Controls or Engineering Controls (IC / EC), Activity and Use Limitations (AULs) and / or Property Use Limitations (PULs) were found as part of the research of federal and state agencies.

### **6.2.2 Miscellaneous Other Records**

No other miscellaneous records were reviewed as part of this assessment.

### **6.2.3 Prior Assessment Usage**

Historical resources and reported observations obtained from prior assessments may be reviewed as part of the current assessment provided that legible copies of prior report resources are available. The environmental professional has independently determined that any information from prior environmental site assessments which was selected for incorporation into this assessment meets the historical research objectives and requirements identified in ASTM E1527-21 Sections 8.3.1, 8.3.8, 8.3.9 and 8.3.10, and has considered whether such information was generated as a result of procedures that meet or exceed the requirements of ASTM E1527-21. Information obtained from any prior assessment(s) is described as originally presented. Any conditions that may have changed materially since completion of prior environmental site assessment(s) are taken into consideration before forming opinions and conclusions for this assessment.

No prior environmentally related reports were provided and / or reviewed as part of this assessment.

## **6.3 Historical Uses of Subject Property**

### **Summary of Historical Use Information at the Subject Property**

Phase Engineering, LLC has conducted thorough research including site observations, regulatory records review and review of reasonably ascertainable standard and other historical sources to determine current and past uses of the subject property. Standard and historical sources used to make these determinations include aerial photographs, topographic maps, city directories (if coverage is available); and / or, fire insurance rate maps (if coverage is available). Sources were reviewed at five-year intervals back to the first use or 1940 (whichever is earlier) until no resources

were available which were reasonably ascertainable or likely to be useful in identifying the use of the subject property. Reviewed record sources showed no developed use of the subject property prior to 1968.

The following are summaries of the subject property use:

<b>Historical Use Subject Property</b>		
<b>Years</b>	<b>Identified Use(s)</b>	<b>Resource Type(s)</b>
Prior to 1952	Undetermined due to data failure	No information could be obtained other than the earliest available aerial photograph. Data failure was encountered and is not considered significant.
1952 to early-1960s	Undeveloped land	Aerial Photographs and Topographic Map
Late-1960s	Single-family residential property and undeveloped land	Aerial Photograph
Early-1970s	Single-family residential property, RV park and land under development	Aerial Photograph
Late-1970s to mid-2020s	Single-family residential property and RV park	Aerial Photographs, Local Street Directories, Interviews and Property Tax Records

## 6.4 Historical Uses of Adjoining Properties

### Summary of Historical Use Information on Adjoining Properties

Phase Engineering, LLC has conducted thorough research including site observations, regulatory records review and review of reasonably ascertainable standard and other historical sources to determine current and past uses of adjoining properties. Standard and historical sources used to make these determinations include aerial photographs; topographic maps, city directories (if coverage is available); and / or, fire insurance rate maps (if coverage is available). Obvious uses of the adjoining properties were researched back to 1952.

The following are summaries of each adjoining property use:

<b>Historical Use Adjoining Properties</b>	
<b>Direction</b>	<b>Historical Use Description</b>
Northeast Adjoining Property	Church, fire station, convenience store, gasoline filling station, RV park event / game room, single-family residential property, land under development and undeveloped land
Southeast Adjoining Property	Boat launch, lake and undeveloped land
Southwest Adjoining Property	Single-family residential property, boat launch, lake and undeveloped land
Northwest Adjoining Property	Single-family residential property and undeveloped land

## 6.5 Summary of Environmental Concerns Identified During Historical Records Review

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Historical street directories and aerial photographs indicate that the northeast adjoining property, addressed as 11915 and 11941 US Highway 190 West, operated as a convenience store and gasoline filling station from the early-1970s to the mid-2020s under the names Sj Foodmart, Sandy Food Mart and Exxon. Historical information and regulatory agency documentation indicate that operational areas at this facility were located hydraulically down-gradient from the subject property; therefore, the gradient would not likely facilitate migration of any releases from this facility to the subject property.

Historical aerial photographs indicate that undeveloped land was located at the subject property during 1952. No standard historical or other record sources were available to determine the use of the subject property prior to this time, resulting in data failure. Based on lack of indications of initial development at the subject property, no features or activities of environmental concern were likely to be present; therefore, the data failure is not considered significant.

## 7.0 Physical Settings Sources

The following physical setting sources were searched to evaluate conditions related to geologic, soil, hydrogeologic, hydrologic, or topographic characteristics associated with the subject property in connection with potential hazardous substance and / or petroleum products migration to and / or from or within the subject property into the groundwater, soil or other environmental media. A copy of each physical setting source map is included in Appendix I of this report.

<b>Topographic and Hydrogeologic Settings</b>	
<b>Source Name</b>	<b>Description</b>
<b>USGS 7.5 Minute Topographic Map Onalaska, Texas 2022</b>	
Current USGS Topographic Map	Elevation: Approximately 130-175 feet above mean sea level (msl) General Area Surface Gradient: Southeast
<b>Groundwater Information</b>	
Offsite Cleanup Program Related Investigation	Depth: Approximately 6-10 feet below ground surface (bgs) Hydraulic Direction: East-southeast

<b>Geologic Formation</b>	
<b>Formation Name</b>	<b>Formation Description</b>
Lissie Formation (QI)	"Sand, silt, clay, and minor amount of gravel. Iron oxide and iron-manganese nodules common in zone of weathering; locally calcareous. Surface fairly flat and featureless except for many shallow depressions and pimple mounds. Moore and Wermund (1993a) mapped three units- (1) alluvium undifferentiated as to texture and origin--includes meander belt, levee, crevasse splay, and distributary sand, and flood-basin mud deposits, about 60 m thick, (2) fine-grained channel facies (alluvial sand, silt, and clay) about 10-25 m thick, thicker seaward, and (3) fine-grained overbank facies (alluvial silt and clay) about 55-65 m thick, thicker seaward. Together, these deposits form a deltaic plain that parallels the Gulf Coast. Unit contains Pleistocene vertebrate fauna, dips seaward beneath the Beaumont Fm. and disconformably overlies deposits of the Pliocene and early Pleistocene Willis Formation. The deltaic plain is entrenched as much as 7 m by streams. In Hidalgo County (southernmost part of Texas) the unit underlies a semiarid plain, widely irrigated and cultivated. Unit is locally veneered with thin, discontinuous stabilized eolian sand."

<b>Flood Zone(s)</b>	
<b>Zone Designation</b>	<b>Zone Description</b>
Zone X (Unshaded)	Area of minimal flood hazard, usually depicted on FIRMs as above the 500-year flood level. Unshaded Zone X (previously Zone C) may have ponding and local drainage problems that don't warrant a detailed study or designation as base floodplain. Zone X is the area determined to be outside the 500-year flood and protected by levee from 100-year flood. Zone X (unshaded) is used on new and revised maps in place of Zone C.

<b>Flood Zone(s)</b>	
<b>Zone Designation</b>	<b>Zone Description</b>
Zone A	Areas with a 1% annual chance of flooding and a 26% chance of flooding over the life of a 30-year mortgage. Because detailed analyses are not performed for such areas; no depths or base flood elevations are shown within these zones. Zone A is a Special Flood Hazard Area (SFHA).
<p>This data was obtained from the most current FEMA information available online. Actual flood elevation should be obtained by a qualified survey or other professional.</p> <p>During a flood event, the potential exists for the migration of hazardous substances and / or petroleum products to and / or from the subject property.</p>	

<b>Underlying Aquifer(s)</b>	
<b>Aquifer Name</b>	<b>Aquifer Description</b>
Gulf Coast Aquifer	"The Gulf Coast Aquifer is a major aquifer paralleling the Gulf of Mexico coastline from the Louisiana border to the Mexican border. It consists of several aquifers, including the Jasper, Evangeline, and Chicot aquifers, which are composed of discontinuous sand, silt, clay, and gravel beds. The maximum total sand thickness for the Gulf Coast Aquifer ranges from 700 feet in the south to 1,300 feet in the north. Freshwater saturated thickness averages about 1,000 feet. Water quality varies with depth and locality: it is generally good in the central and northeastern parts of the aquifer where it contains less than 500 milli-grams per liter of total dissolved solids but declines to the south where it typically contains 1,000 to more than 10,000 milligrams per liter of total dissolved solids and where the productivity of the aquifer decreases. High levels of radionuclides, believed mainly to be naturally occurring, are found in some wells in Harris County in the outcrop and in South Texas. The aquifer is used for municipal, industrial, and irrigation purposes. In Harris, Galveston, Fort Bend, Jasper, and Wharton counties, water level declines of up to 350 feet have led to land subsidence. The planning groups recommended several water management strategies that use the Gulf Coast Aquifer, including drilling more wells, pumping more water from existing wells, temporary overdrafting, constructing new or expanded treatment plants, desalinating brackish groundwater, developing conjunctive use projects, and reallocating supplies."

<b>Near Surface Soils</b>	
<b>Soil Name(s)</b>	<b>Soil Description</b>
DoB - Doucette loamy fine sand, 1 to 5 percent slopes	"Component: Doucette (70%) The Doucette component makes up 70 percent of the map unit. Slopes are 1 to 5 percent. This component is on interfluvial coastal plains. The parent material consists of loamy residuum. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is well drained. Water movement in the most restrictive layer is moderately high. Available water to a depth of 60 inches (or restricted depth) is moderate. Shrink-swell potential

<b>Near Surface Soils</b>	
<b>Soil Name(s)</b>	<b>Soil Description</b>
	is low. This soil is not flooded. It is not ponded. There is no zone of water saturation within a depth of 72 inches. Organic matter content in the surface horizon is about 1 percent. This component is in the F133BY007TX Southern Sandy Loam Upland ecological site. Nonirrigated land capability classification is 3s. This soil does not meet hydric criteria. There are no saline horizons within 30 inches of the soil surface."

## 8.0 Site Reconnaissance

The purpose of the site reconnaissance is to collect information and make observations to help identify recognized environmental conditions in connection with the subject property. In identifying recognized environmental conditions, controlled recognized environmental conditions, and *de minimis* conditions, the environmental professional shall exercise professional judgment and consider the observations made during the site reconnaissance in concert with other relevant information gathered as part of the Phase I Environmental Site Assessment process.

### 8.1 Observation, Methodology and Limiting Conditions

The periphery of the property was visually and / or physically observed, as well as the periphery of any onsite structures at the subject property. The subject property, adjoining properties and surrounding area were viewed from all adjacent public thoroughfares.

On January 14, 2025, the subject property was visually and physically observed and walked by Zahir Jamal of Phase Engineering, LLC. The environmental professional(s) responsible for this report, or a trained and qualified individual under their responsible charge, visually and physically observed the property and any structure(s) located at the subject property to the extent not obstructed by dense vegetation, bodies of water, adjoining buildings, and other obstacles.

<b>The following limiting conditions were identified during the site reconnaissance:</b>	
Vegetation / landscaping	✓
Concrete / asphalt pavement	✓
Stabilized gravel base	
Pre-existing former building slabs	
Existing buildings	✓
Surface water features	
Heavy equipment / existing inventory	✓
Boundary fences / walls	
Accumulation of snow or rainwater	
Inaccessible onsite building interior	✓
Other	
<b>*Limiting condition is checked if present. Any data gaps resulting from identified limiting conditions were not considered significant unless identified as such in Section 1.2 of this report. Information obtained from site reconnaissance, interviews, standard historical resources, regulatory agency file and records review, additional environmental record sources, and / or professional experience was used to determine the significance of any data gaps. Data gaps which are not identified as significant do not raise reasonable concerns involving the effects of those data gaps on the ability of the environmental professional to render an opinion regarding whether conditions exist that are indicative of recognized environmental conditions or controlled recognized environmental conditions.</b>	

### General Inspection Methodology

The following is a description of the general methodology utilized to view the subject property during the site reconnaissance:

- 100% visual and physical observation to the extent required by the ASTM Standard E1527-21 except in places where interior access could not be obtained.

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## Interior Observation Methodology

On the interior of structures on the property, accessible common areas expected to be used by occupants or the public, maintenance and repair areas, including boiler rooms, and a representative sample of occupant spaces, were visually and / or physically observed with the exception of areas to which access could not be obtained. Areas beneath the floors, above ceilings, or behind walls were not observed unless additional services beyond the scope of work of ASTM E1527-21 were contracted for. Access to the interior of the onsite self-storage buildings was not available during the site reconnaissance. This is a data gap. No environmentally sensitive operations or features are believed to be present within the inaccessible areas from available records and the site visit. The data gap is not considered significant based on the expectation that interior uses and conditions are properly represented by information provided by the client and interviews.

## Frequency

A single site visit was performed in connection with the Phase I Environmental Site Assessment on January 14, 2025.

## 8.2 Uses and Conditions

The uses and conditions should be noted to the extent visually and / or physically observed during the site visit. The uses and conditions should also be the subject of questions asked as part of interviews of owners, operator, and occupants. Uses and condition shall be described in the report. The environmental professional(s) performing the Phase I Environmental Site Assessment are obligated to identify uses and conditions only to the extent that they may be visually and / or physically observed on a site visit or to the extent that they are identified by the interviews.

Photographs of the subject property, adjoining properties and other key observed features are located in Appendix II of this report.

The following tables summarize addresses and general uses observed for the subject property and adjoining properties.

Subject Property Details	
Observed Address / Address Range	General Observed Use(s)
No address observed	RV park
11975 US Highway 90 West and 165 Captains Lane	Single-family residential property

Adjoining Property Details		
Direction	Observed Address / Address Range	General Observed Use(s)
Northeast	N/A	Undeveloped land
Northeast	199 FM 3152 Road	Church
Northeast	144 FM 3152 Road	Fire station
Northeast	11915 US Highway 190 West	Convenience store and gasoline filling station
Northeast	No address observed	RV park event / game room
Southeast	N/A	Undeveloped land
Southwest	No address observed	Boat launch
Southwest	Various observed addresses	Single-family residential property
Northwest	Various observed addresses	Single-family residential property

## Surrounding Property Uses

The current uses of properties in the surrounding area were observed to have included the following general categories:

Residential Uses			
Multi-family	Single-family	Rural	Other
	✓		None
General Non-Residential Uses			
Commercial	Retail	Industrial	Other
✓	✓		None
Civic Uses			
School	Medical	Recreational	Other
			None
General Land Uses			
Undeveloped	Agricultural	Pasture	Other
✓			None
Large Scale Uses			
Military Base	Airport	Park / Reservation	Other
			None
Resource Uses			
Oil / Gas Exploration	Sand / Gravel Extraction	Mining Operations	Other
			None

## Geologic, Hydrogeologic, Hydrologic and Topographic Conditions

The general topography of the subject property appeared to be gently rolling. General area topographic conditions at the subject property and surrounding area in connection with geologic, hydrogeologic, and hydrologic conditions were not likely to facilitate the migration of hazardous substances or petroleum products to or from the subject property into the environment.

### 8.3 Observation of Subject Property

The site reconnaissance conducted for this assessment included an evaluation of the subject property for current and potential past activities that would have involved the current and / or past use, treatment, storage, or generation of hazardous substances or petroleum products.

The following observations made during site reconnaissance were listed in Section 3.4 of this report:

- Structures and other improvements at the subject property
- Streets, roads and / or public thoroughfares on or adjacent to the subject property
- Potable water supply / source for the subject property
- Sewage disposal system for the subject property

- Heating / cooling amenities on the subject property

The following table is a summary of the site reconnaissance results identified in connection with the subject property:

*Observation Summary*

<b>Item of Concern</b>	<b>Observed</b>	<b>Release Indicated</b>	<b>Comments</b>
Hazardous Substances / Petroleum Products in Connection with Present Use(s)	No	N/A	
Hazardous Substances / Petroleum Products in Connection with Prior Use(s)	No	N/A	
Underground Storage Tanks (USTs) / Indications of USTs	No	N/A	
Aboveground Storage Tanks (ASTs)	Yes	No	Water ASTs were observed onsite.
Sumps, Floor Drains or Stormwater Drains	No	N/A	
Strong, Pungent, or Noxious Odors and Their Sources	No	N/A	
Pools of Liquid Likely to Contain Hazardous Substances or Petroleum Products	No	N/A	
Hazardous Substance and Petroleum Product Containers; Drums; Totes; IBCs; Unidentified Containers; and / or Containers Not in Connection With Identified Uses	No	N/A	
Potential PCB-Containing Items	No	N/A	
Clarifiers	No	N/A	
Pits, Ponds or Lagoons	No	N/A	
Stains or Corrosion on Floors, Walls, Ceilings, Soil or Pavement (except stains from water)	No	N/A	
Stressed Vegetation (from causes other than insufficient water)	No	N/A	
Solid Waste	Yes	No	A 55-gallon drum of miscellaneous debris was observed onsite.
Mounds, Stockpiled Soils, Filled or Graded Areas and Depressions	No	N/A	
Wastewater / Discharged Water	No	N/A	
Water Wells	Yes	No	A water plant and a dormant water well were observed onsite.
Oil and Gas Wells	No	N/A	
Monitoring Wells, Observation Wells, Sample Wells, Injection Wells and / or Other Well Types	No	N/A	

Item of Concern	Observed	Release Indicated	Comments
Pipelines	No	N/A	
Septic Systems or Cesspools	Yes	No	A septic system was observed onsite.
Other	No	N/A	

## 8.4 Observation of Adjoining Properties / Surrounding Area

The site reconnaissance conducted for this assessment included an evaluation of the adjoining properties and surrounding area for current and potential past activities that would have involved the current and / or past use, treatment, storage, or generation of hazardous substances or petroleum products. The adjoining properties and the surrounding area were observed from the periphery of the subject property, from public thoroughfares adjacent to or traveled on the way to the subject property, and from buildings and structures otherwise accessed during the site visit.

The following table is a summary of the site reconnaissance results identified in connection with the adjoining properties:

### *Observation Summary*

Item of Concern	Observed	Release Indicated	Comments
Underground Storage Tanks (USTs) / Indications of USTs	Yes	No	Gasoline filling station USTs and related vent pipes and fuel dispensers were observed at a northeast adjoining property.
Aboveground Storage Tanks (ASTs)	No	N/A	
Pools of Liquid Likely to Contain Hazardous Substances or Petroleum Products	No	N/A	
Hazardous Substance and Petroleum Product Containers; Drums; Totes; IBCs; Unidentified Containers; and / or Containers Not in Connection With Identified Uses	No	N/A	
Potential PCB-Containing Items	Yes	No	Pole-mounted transformers were observed at adjoining properties.
Pits, Ponds or Lagoons	No	N/A	
Stains or Corrosion on Floors, Walls, Ceilings, Soil or Pavement (except stains from water)	No	N/A	
Stressed Vegetation (from causes other than insufficient water)	No	N/A	
Solid Waste	No	N/A	
Mounds, Stockpiled Soils, Filled or Graded Areas and Depressions	No	N/A	
Wastewater / Discharged Water	No	N/A	
Oil and Gas Wells	No	N/A	

Item of Concern	Observed	Release Indicated	Comments
Monitoring Wells, Observation Wells, Sample Wells, Injection Wells and / or Other Well Types	Yes	No	Observation wells were observed near gasoline station USTs at a northeast adjoining property. A plugged monitoring well was observed at a northeast adjoining property, indicating prior investigation activities.
Other	No	N/A	

## 8.5 Summary of Critical Observed Areas of Environmental Concern

An RV park was observed at the subject property at the time of the site reconnaissance. This facility was observed operating under the name Sandy Creek RV Park. A septic system was observed at the southwest portion of the subject property. No dumping of hazardous substances or petroleum products was noted in the area of the septic system. No reported releases were found in connection with operations at the subject property.

The northeast adjoining property across, addressed as 11915 US Highway 190 West, was observed to operate as a Chevron-branded gasoline filling station and convenience store under the name Sandy Food Mart at the time of the site reconnaissance. Fuel dispensers, fill ports, vent pipes and observation wells for petroleum USTs and a plugged monitoring well, indicating prior investigation activities, were observed at this property. No evidence of a hazardous substance or petroleum product release was observed.

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## 9.0 Interviews

### 9.1 Owner, Key Property Manager and / or Occupant Interviews

The purpose of owner, key property manager and / or occupant interviews is to obtain information indicating recognized environmental conditions in connection with the subject property. Phase Engineering, LLC attempted to identify a person with good knowledge of the uses and physical characteristics of the subject property, and made a reasonable attempt to conduct an interview in conjunction with the site visit. A summary is given below of any interviews conducted or attempted for this assessment with interviewees identified as being sufficiently knowledgeable or not knowledgeable regarding the uses and physical characteristics of the subject property.

Interview Summary				
Date	Name	Relationship to Property	Response Status	Knowledgeable
01/09/25	LaNell and Ronnie Orsak	Owners	Received	Yes

Comments on interviews from items above:

LaNell and Ronnie Orsak, property owners, returned a transaction screen questionnaire about the subject property via e-mail, which indicated the following:

- Past use of the subject property was an RV park.
- There are currently or have been previously septic systems located at the subject property.
- A convenience store and gasoline filling station are located at an adjoining property.
- There is currently or has been previously stained soil on the subject property from the adjoining convenience store and gasoline filling station.
- There are currently or have been previously tanks with pipes at the adjoining convenience store and gasoline filling station.
- They have observed leaks, spills or staining at the subject property from the adjoining convenience store and gasoline filling station.
- They have been informed of the existence of hazardous substances or petroleum products at the subject property from the adjoining convenience store and gasoline filling station.
- They are aware of ESAs of the subject property that indicated the presence of hazardous substances or petroleum products on, or the contamination of, the subject property or recommended further assessment of the subject property due to the adjoining convenience store and gasoline filling station.
- There are currently or have been previously wells or pipelines at the subject property and the adjoining convenience store and gasoline filling station.
- Previous environmental reports have been conducted for the adjoining convenience store and gasoline filling station.
- They have been associated with the subject property for approximately 25 years.

See interviews, questionnaires and / or records of communication in Appendix V of this report.

### 9.2 State and / or Local Agency Officials Interviews

The purpose of interviews with state and / or local government officials is to obtain information indicating recognized environmental conditions in connection with the subject property.

Interview Summary			
Date	Name / Entity	Method of Contact	Response Status
<b>Local Fire Department</b>			
01/14/25	Polk County Fire Marshal	E-mail	Pending
<b>Local Health Department</b>			
01/14/25	Polk County Environmental Enforcement	E-mail	Pending
<b>Local Building Department Records / Permits Department</b>			
01/14/25	Polk County Permit Department	E-mail	Pending

Comments on interviews from items above:

Fire department records have been requested from Polk County Fire Marshal. Health / Environmental department records have been requested from Polk County Environmental Enforcement. Building department records have been requested from Polk County Permit Department. No responses have been received, resulting in data gaps. Any information received after the issuance of this report that would affect the Findings and Conclusions of this assessment will be forwarded to the user of this report.

See interviews, questionnaires, records of communication, inquiries and / or Freedom of Information Act (FOIA) requests and any received response documentation in Appendix V of this report.

### 9.3 Summary of Environmental Concerns Noted During Interviews / Inquiries

LaNell and Ronnie Orsak, property owners, indicated the following:

- Past use of the subject property was an RV park.
- There are currently or have been previously septic systems located at the subject property.
- A convenience store and gasoline filling station are located at an adjoining property.
- There is currently or has been previously stained soil on the subject property from the adjoining convenience store and gasoline filling station.
- There are currently or have been previously tanks with pipes at adjoining convenience store and gasoline filling station.
- They have observed leaks, spills or staining at the subject property from the adjoining convenience store and gasoline filling station.
- They have been informed of the existence of hazardous substances or petroleum products at the subject property from the adjoining convenience store and gasoline filling station.
- They are aware of ESAs of the subject property that indicated the presence of hazardous substances or petroleum products on, or the contamination of, the subject property or recommended further assessment of the subject property due to the adjoining convenience store and gasoline filling station.
- There are currently or have been previously wells or pipelines at the subject property and the adjoining convenience store and gasoline filling station.

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- Previous environmental reports have been conducted for the adjoining convenience store and gasoline filling station.

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## **10.0 Deviations**

### **10.1 Scope of Services**

There were no significant deletions or deviations from the ASTM Standard E1527-21 scope of services.

### **10.2 Client Constraints**

Client and / or user imposed constraints consisted of the following:

- There were no user constraints.

---

## 11.0 Qualifications

The statement of qualifications of the environmental professionals responsible for the Environmental Site Assessment is included in Appendix VI of this report.

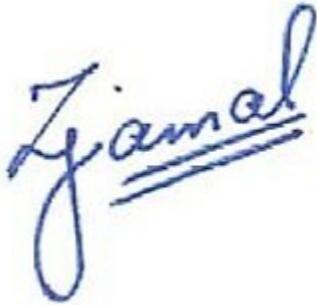
---

## 12.0 Environmental Professional and Support Staff Statement(s)

I have the specific qualifications based on education, training, and experience to assess a *property* of the nature, history, and setting of the *subject property*. I have developed and performed the *all appropriate inquiries* in conformance with the standards and practices set forth in 40 C.F.R. Part 312.

I further declare that, to the best of my professional knowledge and belief, I meet the definition of *Environmental professional* as defined in § 312.10 of 40 C.F.R. § 312.

**Inspected By:**



---

Zahir Jamal

**Prepared By:**



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Veronica Pearson

**Reviewed By:**



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Jillian Chahal

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## 13.0 Non-Scope Considerations

Per the agreed scope of services specified in the letter of engagement or other service contract related to this assessment, no additional services were conducted that are beyond the scope of the Phase I Environmental Site Assessment process per ASTM E1527-21 unless additional services were specifically contracted. Environmental conditions representing possible Business Environmental Risks at the subject property which are not likely to lead to or indicate RECs were not addressed unless contracted for by Non-Scope Services.

---

## 14.0 References

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### Soil Survey:

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TWDB. *Minor Aquifers*, GIS Data. Updated December 2017 <http://www.twdb.texas.gov/mapping/gisdata.asp>

### Water Well Records:

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---

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TCEQ. *Public Water System Wells*. TCEQ GIS Data. Retrieved 2025 from <http://www.tceq.texas.gov/gis>

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Data Axle Reference Solutions, R.L. Polk & Company, Morrison and Fourmy's, EDR Digital Archive, Phone Disc, Worley's, Johnson's, Cole's, and Kriss Kross. Local street directory listings.

AAI Environmental Data, 5524 Cornish Street, Houston, Texas 77007.

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**APPENDIX I**

**CURRENT & HISTORICAL DOCUMENTATION**



Coordinate System: NAD 1983 StatePlane Texas Central FIPS 4203 Feet

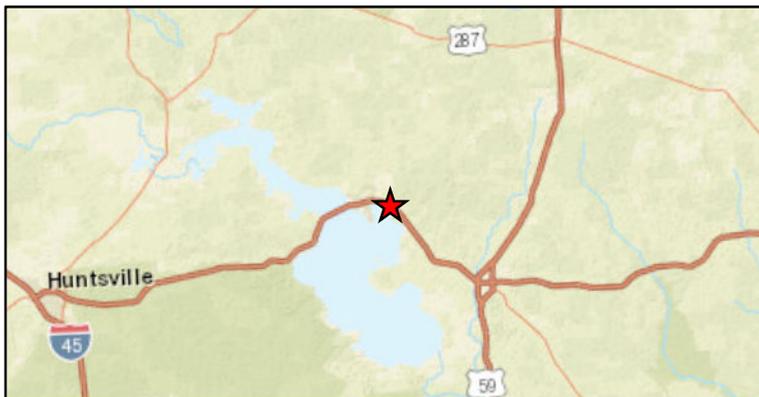
Source: USGS NHL

Property boundary and locations are representative only.

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## Location Map



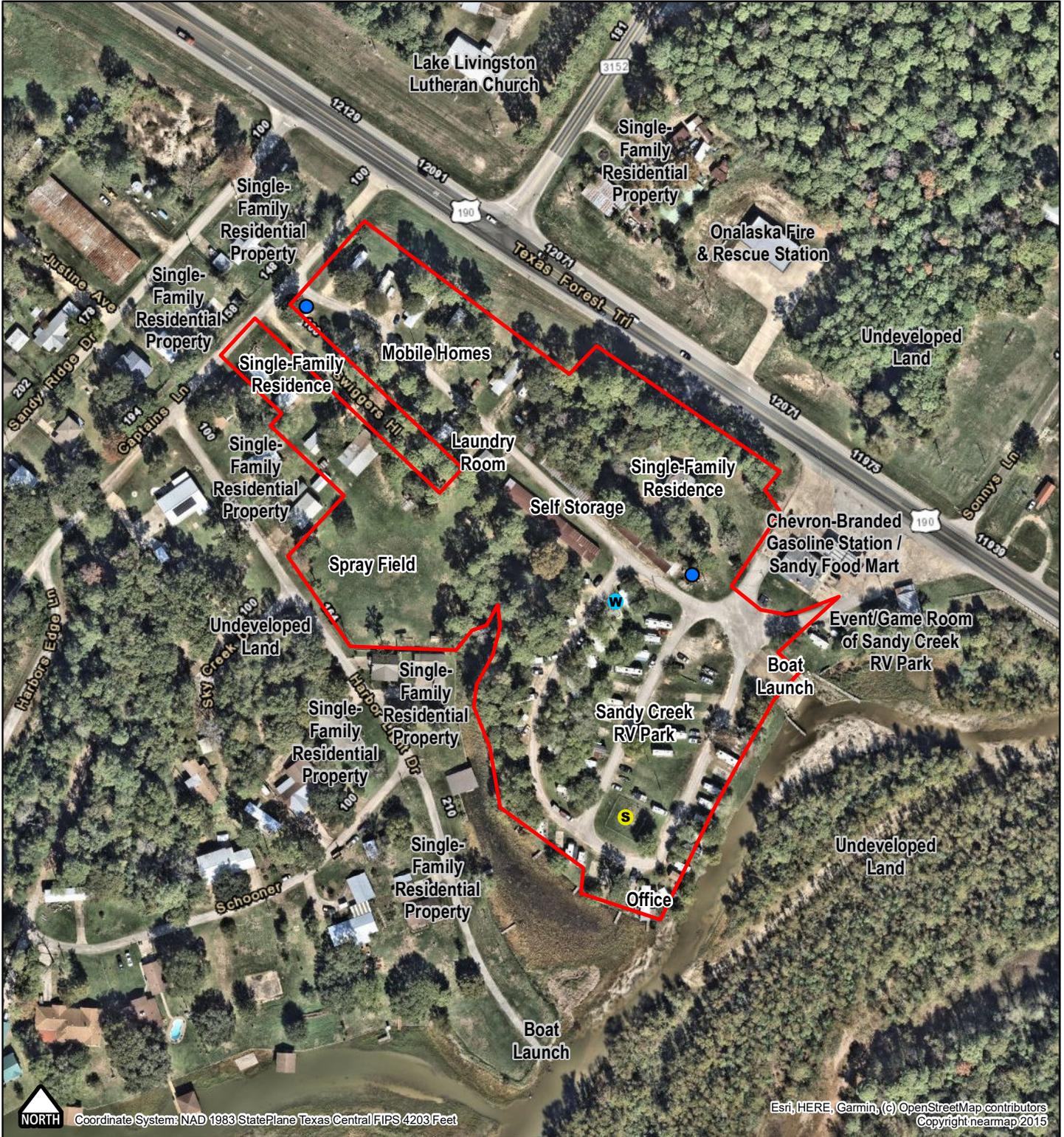
## Texas



**Location: 11941 and 11975 US Highway 190 West  
and 165 Captains Lane  
Livingston, Texas 77351  
Polk County**



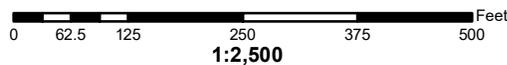
**PE Project No: 202501055**



Coordinate System: NAD 1983 StatePlane Texas Central FIPS 4203 Feet

Esri, HERE, Garmin, (c) OpenStreetMap contributors  
Copyright nearmap 2015

Property location, boundary and features are representative only.



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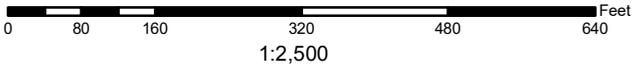
**SITE SKETCH - 2023 Nearmap Aerial Imagery**

- Subject Property
- Water Plant/Tank
- S Septic
- W Water Well



Coordinate System: NAD 1983 StatePlane Texas Central FIPS 4203 Feet

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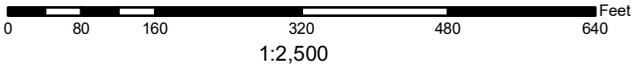
**2023 Nearmap Aerial Imagery**



**PE Project No: 202501055**



Coordinate System: NAD 1983 StatePlane Texas Central FIPS 4203 Feet



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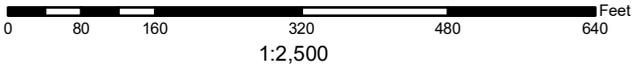
**2020 USDA NAIP Aerial Photograph**



**PE Project No: 202501055**



Coordinate System: NAD 1983 StatePlane Texas Central FIPS 4203 Feet



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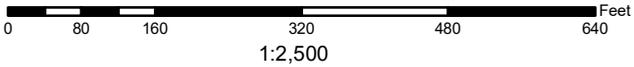
**2018 USDA NAIP Aerial Photograph**



**PE Project No: 202501055**



Coordinate System: NAD 1983 StatePlane Texas Central FIPS 4203 Feet



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**2015 TNRIS Texas Orthoimagery Program (TOP) Imagery**



**PE Project No: 202501055**



Coordinate System: NAD 1983 StatePlane Texas Central FIPS 4203 Feet



1:2,500

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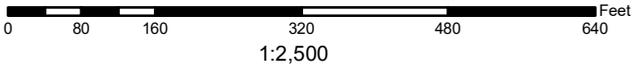
**2012 USDA NAIP Aerial Photograph**



**PE Project No: 202501055**



Coordinate System: NAD 1983 StatePlane Texas Central FIPS 4203 Feet



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**2009 Texas Orthoimagery Program (TOP) Aerial Photograph**



**PE Project No: 202501055**



TNRIS, USDA

Coordinate System: NAD 1983 StatePlane Texas Central FIPS 4203 Feet

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1:2,500



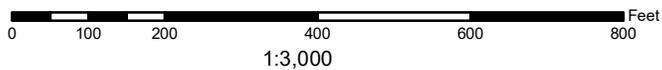
**2004 USDA NAIP Aerial Photograph**



**PE Project No: 202501055**



Coordinate System: NAD 1983 StatePlane Texas Central FIPS 4203 Feet



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### 1995 USDA-FSA-AFPO Aerial Photograph



**PE Project No: 202501055**



Coordinate System: NAD 1983 StatePlane Texas Central FIPS 4203 Feet



1:3,000

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**1982 USDA-NHAP Aerial Photograph**



**PE Project No: 202501055**





Coordinate System: NAD 1983 StatePlane Texas Central FIPS 4203 Feet



1:3,000

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**1972 USGS Aerial Photograph**



**PE Project No: 202501055**



Coordinate System: NAD 1983 StatePlane Texas Central FIPS 4203 Feet



1:3,000

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**1968 USDA Aerial Photograph**



**PE Project No: 202501055**



Coordinate System: NAD 1983 StatePlane Texas Central FIPS 4203 Feet



1:3,000

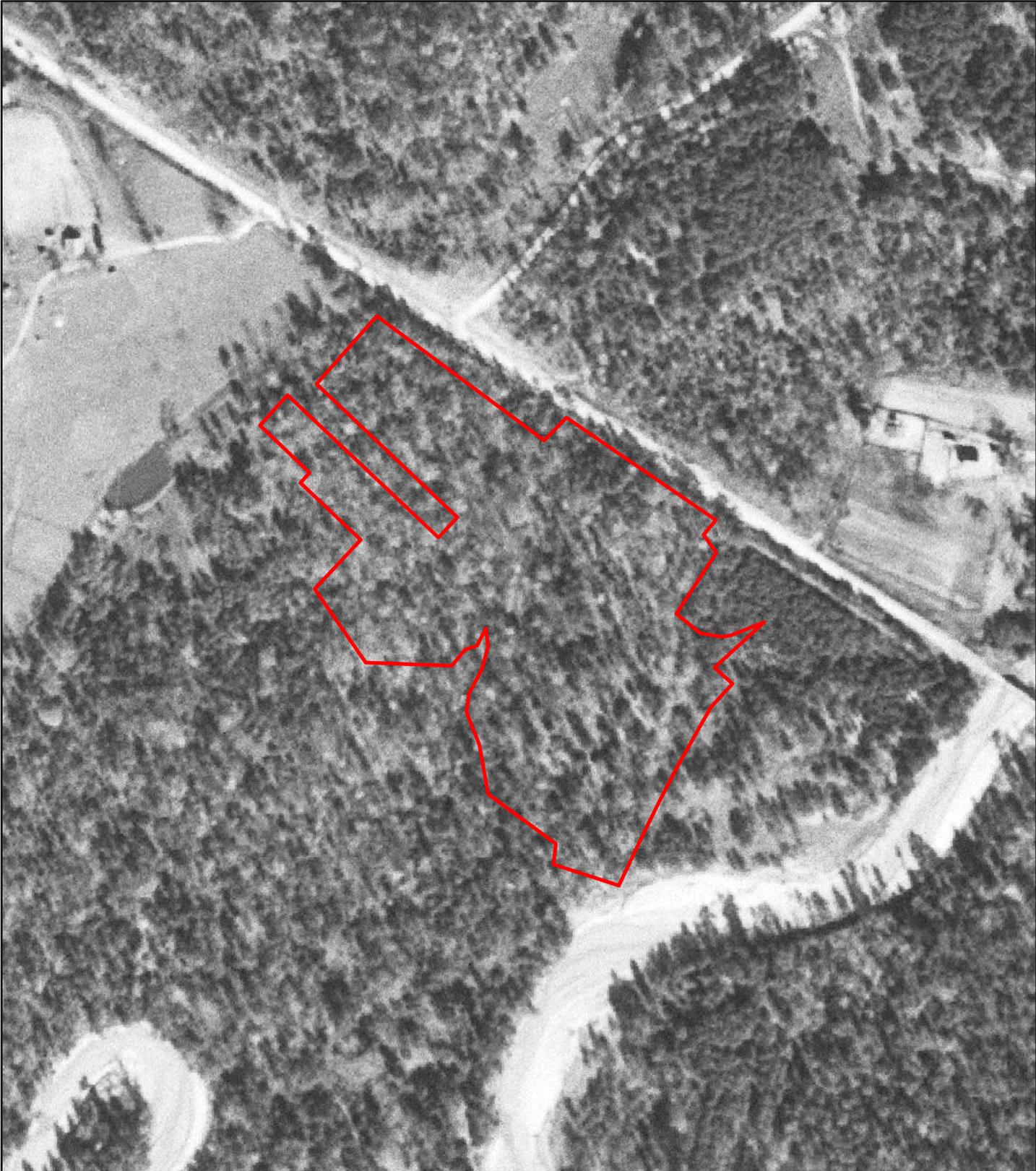
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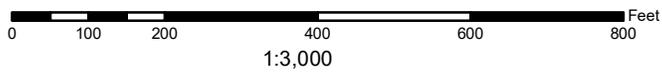
**1958 USGS Aerial Photograph**



**PE Project No: 202501055**



Coordinate System: NAD 1983 StatePlane Texas Central FIPS 4203 Feet



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**1952 USGS Aerial Photograph**

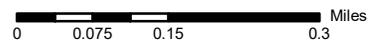


**PE Project No: 202501055**

## USDA NRCS SSURGO Database of Texas

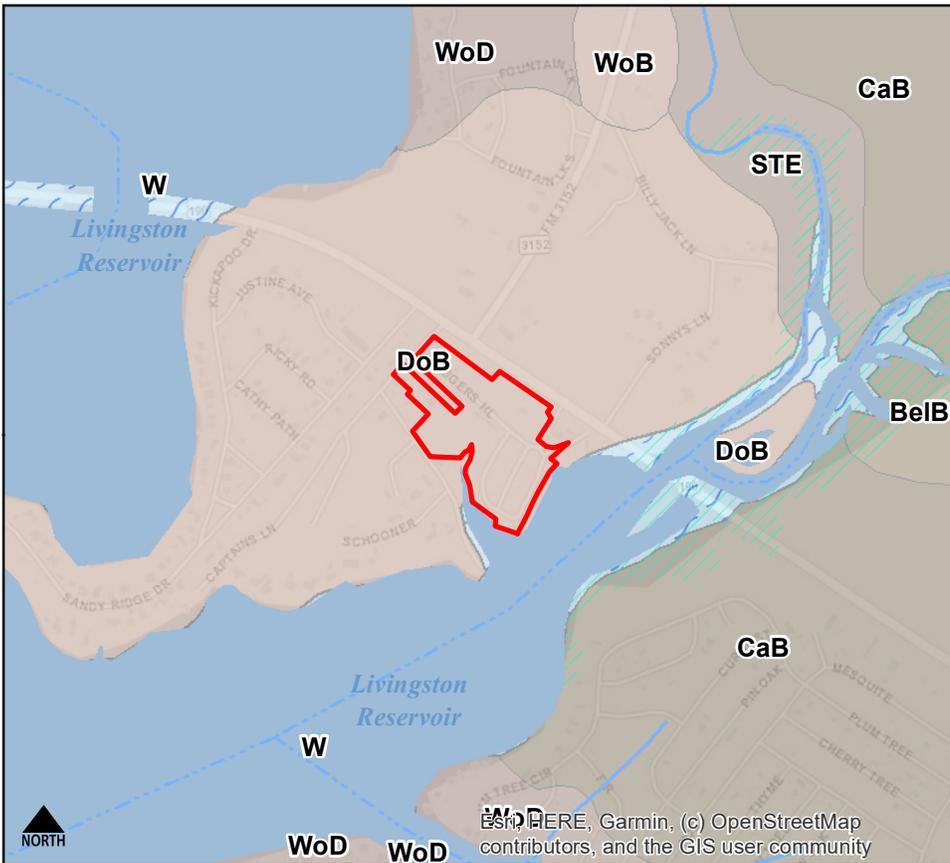
The SSURGO database contains information about soil as collected by the National Cooperative Soil Survey over the course of a century. The information can be displayed in tables or as maps and is available for most areas in the United States and the Territories, Commonwealths, and Island Nations served by the USDA-NRCS. The information was gathered by walking over the land and observing the soil. Many soil samples were analyzed in laboratories. The maps outline areas called map units. The map units describe soils and other components that have unique properties, interpretations, and productivity. The information was collected at scales ranging from 1:12,000 to 1:63,360. More details were gathered at a scale of 1:12,000 than at a scale of 1:63,360. The mapping is intended for natural resource planning and management by landowners, townships, and counties. Some knowledge of soils data and map scale is necessary to avoid misunderstandings. SSURGO is generally the most detailed level of soil geographic data developed by the National Cooperative Soil Survey (NCSS) in accordance with NCSS mapping standards. SSURGO is designed to be used for broad planning and management uses.

Soil Survey Staff. Gridded Soil Survey Geographic (gSSURGO) Database for Texas. United States Department of Agriculture, Natural Resources Conservation Service. Available online at <https://gdg.sc.egov.usda.gov/>. December, 02, 2022 (202210 official release)



1:12,000

Sources: NRCS, USGS NHD



Property boundaries and locations are approximate only.

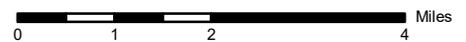
## Geologic Database of Texas

The Geologic Atlas of Texas is a series of 38 hard copy map sheets depicting surface geology for the entire state of Texas at a scale of 1:250,000. The University of Texas - Bureau of Economic Geology began compiling the Atlas in 1961 under the direction of Dr. Virgil E. Barnes. The effort involved the work of 28 UTBEG geologists, seven cartographers, and several editors, as well as additional geologists from other organizations.

The last hardcopy map sheet in the GAT series was published in 1987.

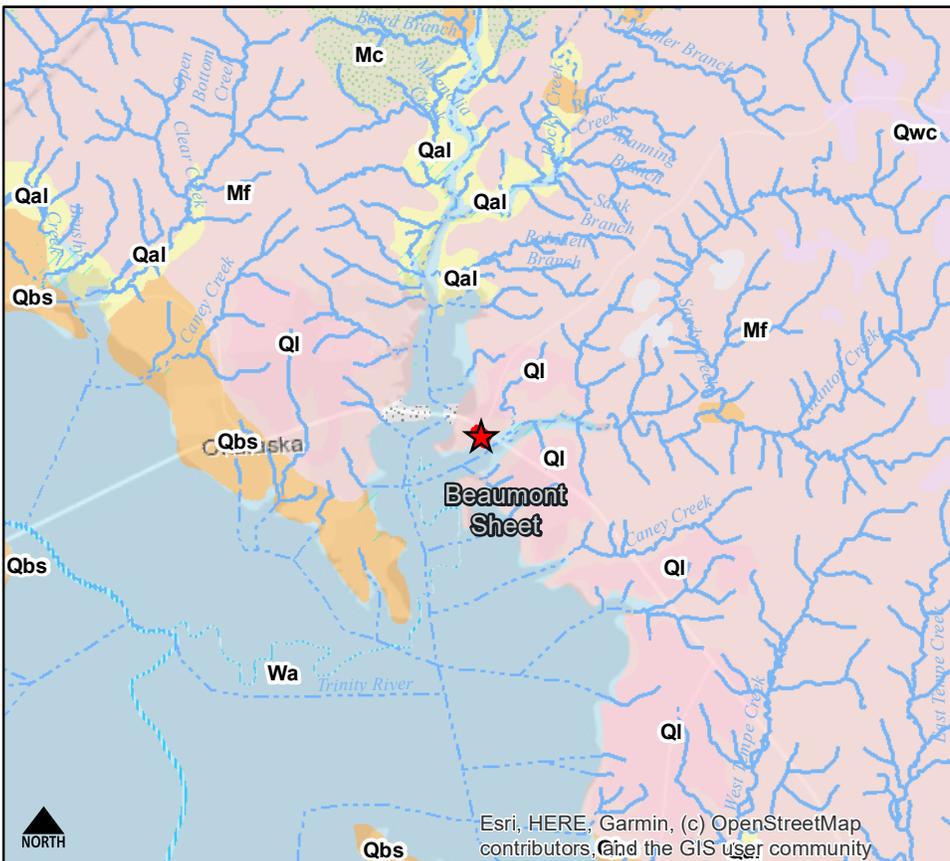
In October 2002, the United States Geological Survey, in cooperation with the Texas Natural Resources Information System, embarked on a project to digitize all 38 GAT hardcopy map sheets and compile them into a single, stand-alone Geologic Database of Texas (GDT). Completed in 2007, the project resulted in a rich, digital dataset containing more than 145,000 geologic features in Texas and portions of neighboring states.

Texas Water Science Center (USGS TWSC). Geologic Database of Texas, 2014-02-01. Web. 2023-07-13.



1:125,000

Sources: TNRIS, USGS NHD



Coordinate System: NAD 1983 StatePlane Texas Central FIPS 4203 Feet

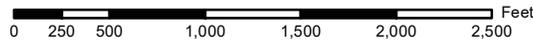


Coordinate System: NAD 1983 StatePlane Texas Central FIPS 4203 Feet

Source: USGS TopoView

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1:12,000



## Topographic Map

The U.S. Geological Survey (USGS) produced its first topographic map in 1879, the same year it was established. Today, more than 100 years and millions of map copies later, topographic mapping is still a central activity for the USGS. The topographic map remains an indispensable tool for government, science, industry, and leisure.

Topographic maps usually portray both natural and manmade features. They show and name works of nature including mountains, valleys, plains, lakes, rivers, and vegetation. They also identify the principal works of man, such as roads, boundaries, transmission lines, and major buildings. The colors represent the following: Contours - brown, Hydrography - blue, Public Land Survey System and other surveys - red, Updates - purple/magenta, Miscellaneous - black, and Vegetation - green.

**USGS 7.5 Minute Topographic Series**  
Onalaska, 2022



PE Project No: 202501055



Coordinate System: NAD 1983 StatePlane Texas Central FIPS 4203 Feet

Source: Thematic Mapper

Property boundary and locations are representative only.

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0 250 500 1,000 1,500 2,000 2,500 Feet

1:12,000

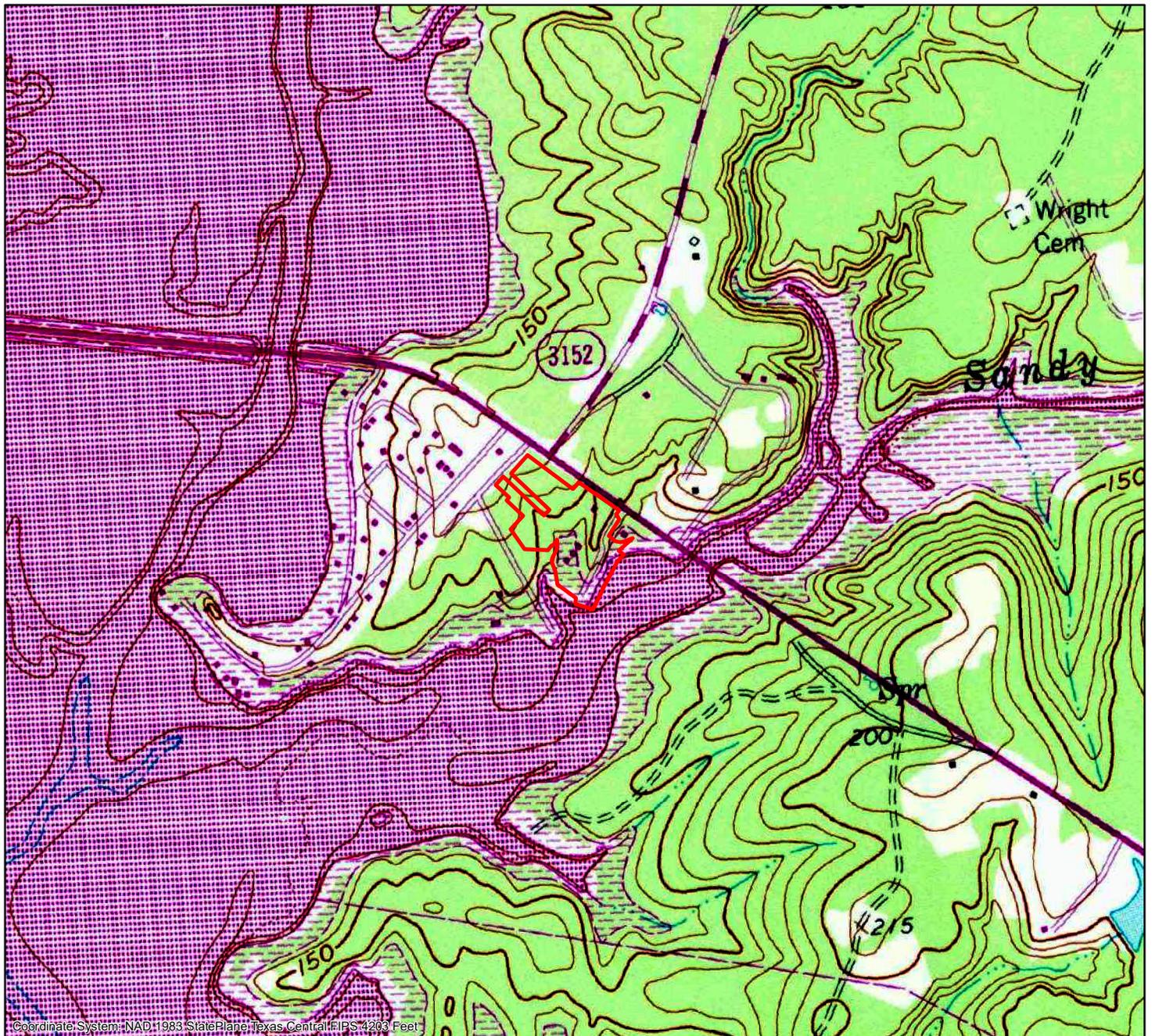
NORTH

## Topographic Map

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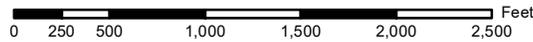
### USGS 7.5 Minute Topographic Series Onalaska, 2013



Source: USGS TopoView

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1:12,000

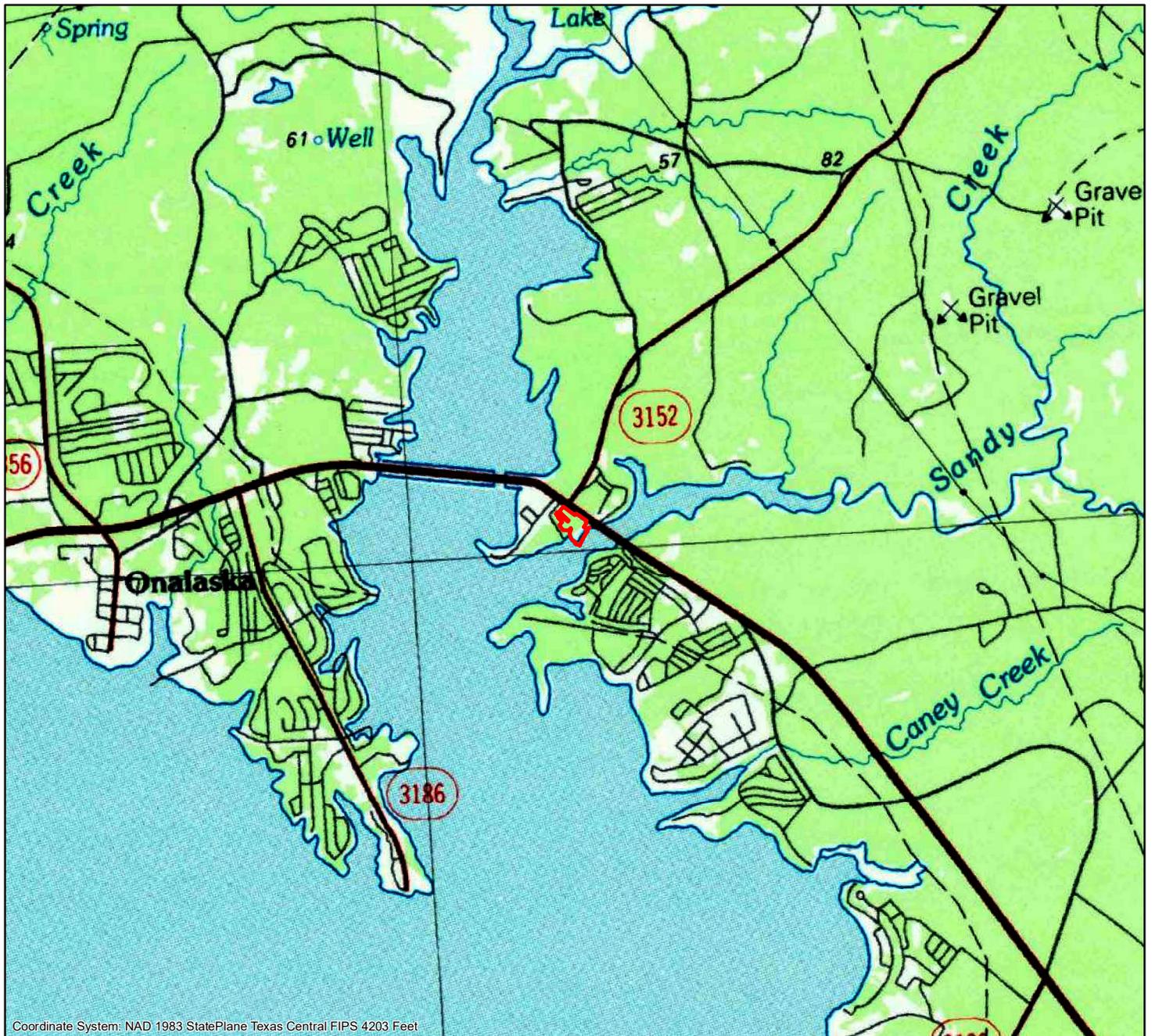


## Topographic Map

The U.S. Geological Survey (USGS) produced its first topographic map in 1879, the same year it was established. Today, more than 100 years and millions of map copies later, topographic mapping is still a central activity for the USGS. The topographic map remains an indispensable tool for government, science, industry, and leisure.

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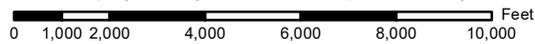
### USGS 7.5 Minute Topographic Series Onalaska, 1991



Source: USGS TopoView

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1:48,000

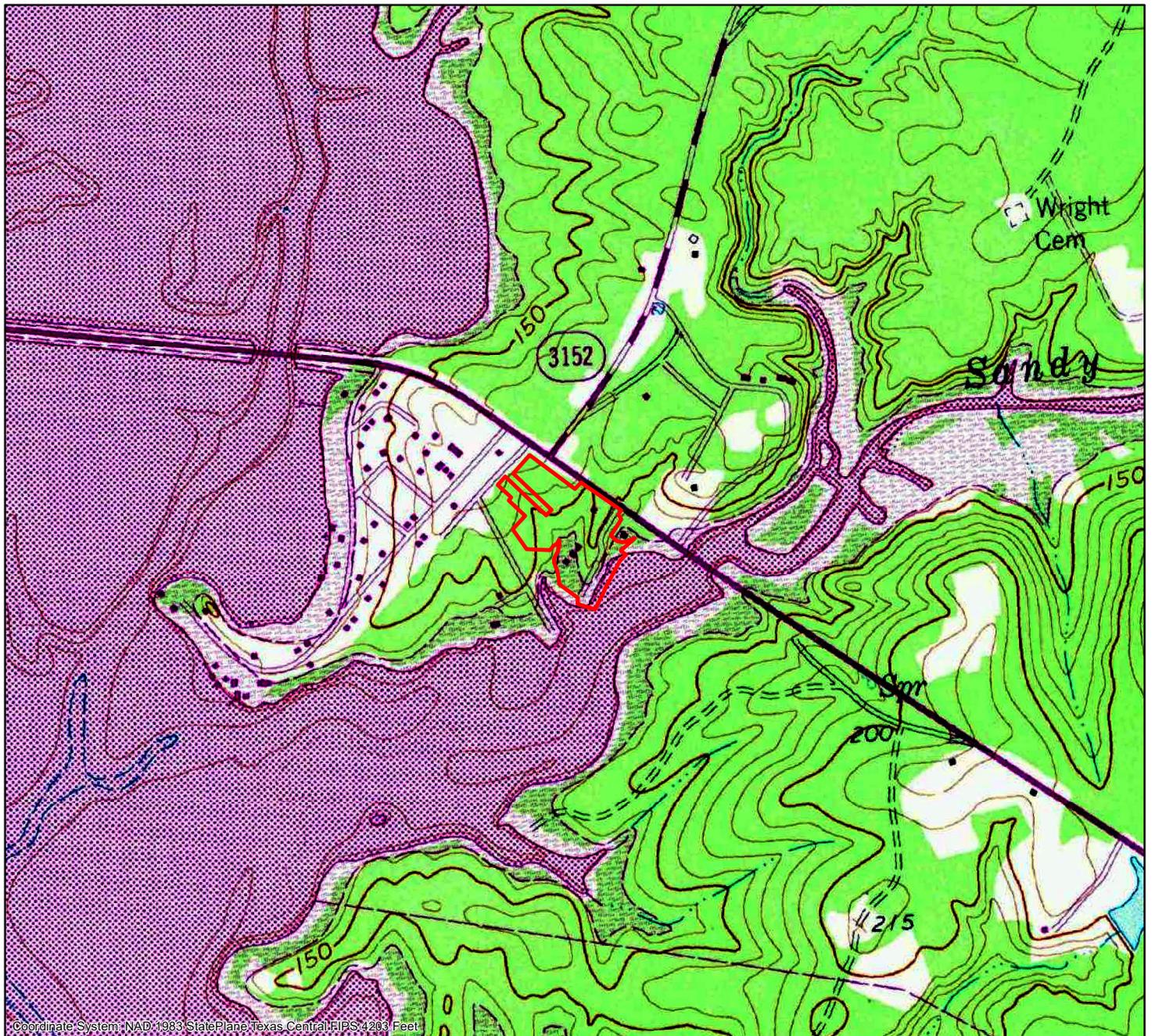


## Topographic Map

The U.S. Geological Survey (USGS) produced its first topographic map in 1879, the same year it was established. Today, more than 100 years and millions of map copies later, topographic mapping is still a central activity for the USGS. The topographic map remains an indispensable tool for government, science, industry, and leisure.

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**USGS 30 x 60 Minute Topographic Series  
Huntsville, 1985**

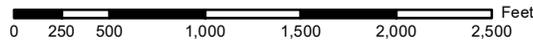


Coordinate System: NAD 1983 StatePlane Texas Central FIPS 4203 Feet

Source: USGS TopoView

Property boundary and locations are representative only.

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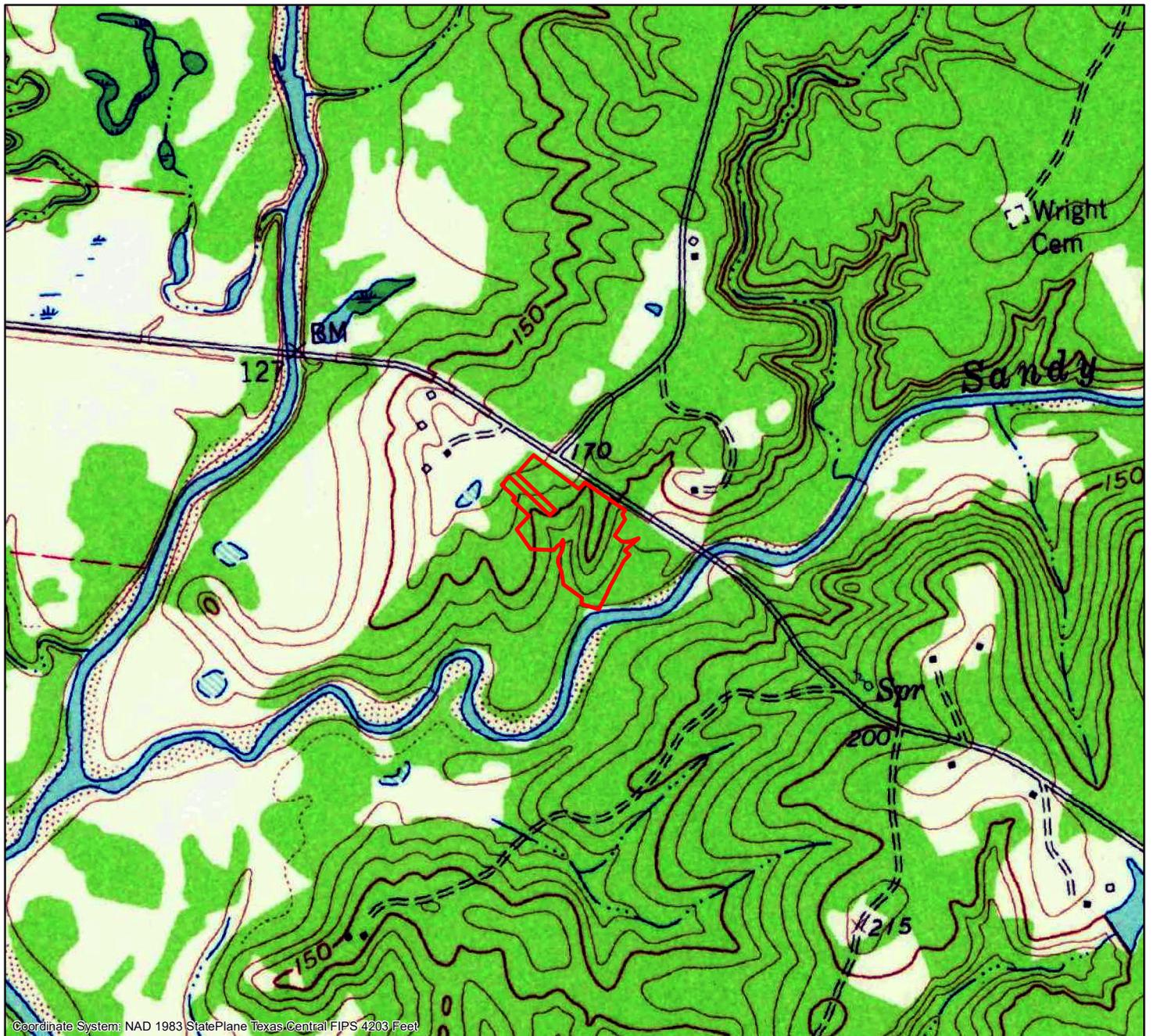


## Topographic Map

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### USGS 7.5 Minute Topographic Series Onalaska, 1974

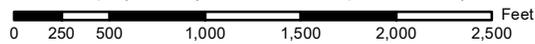


Coordinate System: NAD 1983 StatePlane Texas Central FIPS 4203 Feet

Source: USGS TopoView

Property boundary and locations are representative only.

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1:12,000



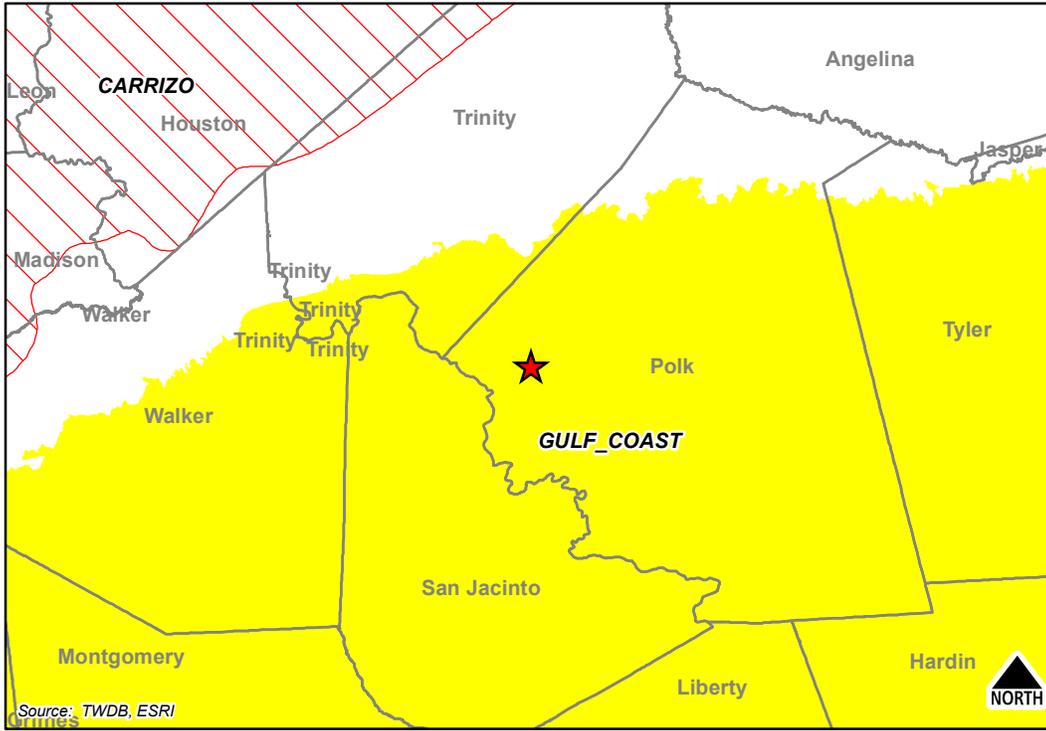
## Topographic Map

The U.S. Geological Survey (USGS) produced its first topographic map in 1879, the same year it was established. Today, more than 100 years and millions of map copies later, topographic mapping is still a central activity for the USGS. The topographic map remains an indispensable tool for government, science, industry, and leisure.

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### USGS 7.5 Minute Topographic Series Onalaska, 1962

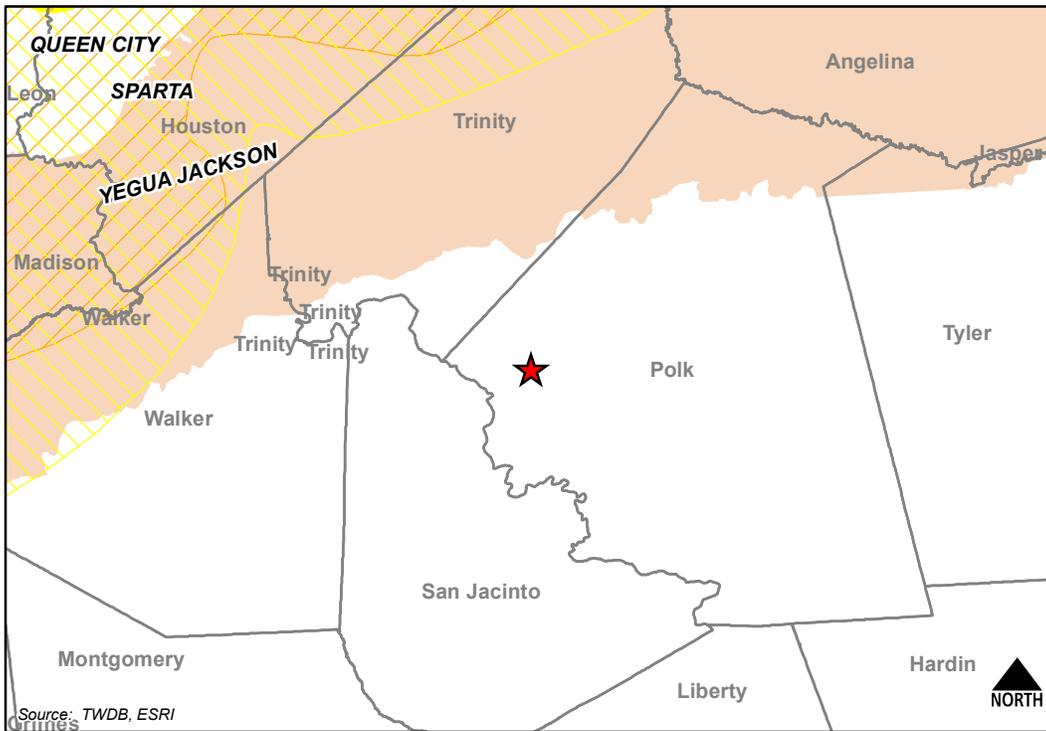
# AQUIFERS OF TEXAS



## Major Aquifers

- Pecos Valley
- Seymour
- Gulf Coast
- Carrizo - Wilcox (outcrop)
- Carrizo - Wilcox (subcrop)
- Hueco - Mesilla Bolson
- Ogallala
- Edwards - Trinity Plateau (outcrop)
- Edwards - Trinity Plateau (subcrop)
- Edwards BFZ (outcrop)
- Edwards BFZ (subcrop)
- Trinity (outcrop)
- Trinity (subcrop)

**NOTE:**  
 - Aquifer chronology by geologic age  
 - Solid colors indicate **OUTCROP** areas (portion of a water-bearing rock unit exposed at the land surface).  
 - Hatch colored lines indicate **SUBCROP** areas (portion of a water-bearing rock unit existing below other rock units).  
 - The Edward-Trinity (High Plains) Aquifer and the Rita Blanca Aquifer are both entirely subsurface.

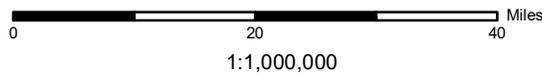


## Minor Aquifers

- Brazos River Alluvium
- West Texas Bolsons
- Lipan (outcrop)
- Lipan (subcrop)
- Yegua Jackson
- Igneous
- Sparta (outcrop)
- Sparta (subcrop)
- Queen City (outcrop)
- Queen City (subcrop)
- Nacatoch (outcrop)
- Nacatoch (subcrop)
- Blossom (outcrop)
- Blossom (subcrop)
- Woodbine (outcrop)
- Woodbine (subcrop)
- Rita Blanca
- Edwards -Trinity (High Plains)
- Dockum (outcrop)
- Dockum (subcrop)
- Rustler (outcrop)
- Rustler (subcrop)
- Capitan Reef Complex
- Blaine (outcrop)
- Blaine (subcrop)
- Bone Spring - Victorio Peak
- Marble Falls
- Marathon
- Ellenburger - San Saba (outcrop)
- Ellenburger - San Saba (subcrop)
- Hickory (outcrop)
- Hickory (subcrop)
- Cross Timbers

Coordinate System: NAD 1983 StatePlane Texas Central FIPS 4203 Feet

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## Texas Aquifer Zones - TWDB 2022 State Water Plan

The 2022 State Water Plan adopted by the Texas Water Development Board (TWDB) has designated 9 major and 22 minor aquifers as well as other water-bearing geologic formations around the state. Groundwater is governed by the rule of capture, which may be modified where groundwater conservation districts and subsidence districts exist. The TWDB has also designated a total of 31 brackish groundwater production zones in the following aquifers: Carrizo-Wilcox, Gulf Coast, Rustler, Blossom, Nacatoch, and Northern Trinity Aquifers.



PE Project No: 202501055



Sources: FEMA (NFHL refreshed May 2024), USGS NHD, Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

Property boundary and locations are representative only. 1:12,000 Copyright © 2025 Phase Engineering, LLC  
 Data update 6/18/2024 (eod) Feet

## FEMA National Flood Hazard Layer (NFHL) Map

### Special Flood Hazard Areas (SFHA)

SFHAs, labeled beginning with the letters 'A' or 'V,' are the areas that will be inundated by a flood event having a 1% chance of being equaled or exceeded in any given year. The 1% annual chance flood is also referred to as the base flood or 100-year flood.

-  1% Annual Chance Flood Hazard Zone A, AE, AH, AO, AR A99, V, VE
-  Regulatory Floodway

 FEMA FIRM Panel

### Other Areas of Flood

-  Moderate Flood Hazard Zone X (Shaded)
-  Future Conditions 1% Annual Chance Flood Hazard Zone X (Shaded)
-  Area With Reduced Flood Risk Due to Levee Zone X (Shaded)
-  Area of Undetermined Flood Hazard / Area with Flood Risk due to Levee Zone D
-  NO SCREEN Area of Minimal Flood Zone X (Unshaded)

# Texas Railroad Commission

Oil and gas well data and pipeline datasets were generated by the Geographic Information System of the Railroad Commission of Texas from public records at the Railroad Commission of Texas (the Commission). Each location is identified using the American Petroleum Institute (API) number of the wellbore. The Railroad Commission issues pipeline permits for common carrier operations within Texas. Permits must be renewed annually. (Updated 07/2024)

## Digital Oil and Gas Wells

- |                 |                                 |                  |  |
|-----------------|---------------------------------|------------------|--|
| —               | Well (Lines)                    | ☀️               | Water Supply from Oil/Gas                |
| ○               | Permitted Location              | ○ <sub>OV</sub>  | Observation Well                         |
| ⊕               | Dry Hole                        | ● <sub>OV</sub>  | Observation from Oil                     |
| ●               | Oil Well                        | ☀️ <sub>OV</sub> | Observation from Gas                     |
| ☀️              | Gas Well                        | ☀️ <sub>SV</sub> | Observation from Oil/Gas                 |
| ☀️              | Oil/Gas Well                    | ◻                | Horizontal Drainhole                     |
| ●               | Plugged Oil Well                | ◇                | Sidetrack Well Surface Location          |
| ☀️              | Plugged Gas Well                | ◎                | Storage Well                             |
| ⊗               | Cancelled Location              | ○ <sub>S</sub>   | Service Well                             |
| ☀️              | Plugged Oil/Gas Well            | ● <sub>S</sub>   | Service from Oil                         |
| ↙               | Injection/Disposal Well         | ☀️ <sub>S</sub>  | Service from Oil/Gas                     |
| ○               | Core Test                       | ◎                | Injection/Disposal from Storage          |
| ◇               | Directional Surface Location    | ◎                | Injection/Disposal from Storage/Oil      |
| ⊕               | Sulfur Core Test                | ◎                | Injection/Disposal from Storage/Gas      |
| ◎               | Storage from Oil                | ◎                | Observation from Storage                 |
| ◎               | Storage from Gas                | ☀️               | Observation from Storage/Gas             |
| ●               | Shut-In Well (Oil)              | ☀️               | Service from Storage/Gas                 |
| ☀️              | Shut-In Well (Gas)              | ◎                | Plugged Storage                          |
| ↙               | Injection/Disposal from Oil     | ◎                | Plugged Storage/Gas                      |
| ☀️              | Injection/Disposal from Gas     | ◎                | Brine Mining from Oil                    |
| ☀️              | Injection/Disposal from Oil/Gas | ◎                | Brine Mining from Oil/Gas                |
| □               | Offshore Platform               | ↙                | Injection/Disposal from Brine Mining     |
| ○ <sub>GT</sub> | Geothermal Well                 | ☀️               | Injection/Disposal from Brine Mining/Gas |
| ○ <sub>S</sub>  | Brine Mining Well               | ⊗                | Service from Brine Mining                |
| ○ <sub>W</sub>  | Water Supply Well               | ◎                | Plugged Brine Mining                     |
| ● <sub>W</sub>  | Water Supply from Oil           | ◎                | Storage/Brine Mining                     |
| ☀️ <sub>W</sub> | Water Supply from Gas           | ◎                | Inj/Disposal from Storage/Brine Mining   |
|                 |                                 | ◎                | Plugged Storage/Brine Mining             |
|                 |                                 | ●                | Well (Bottom Hole Location)              |

## Digital Pipeline Mapping

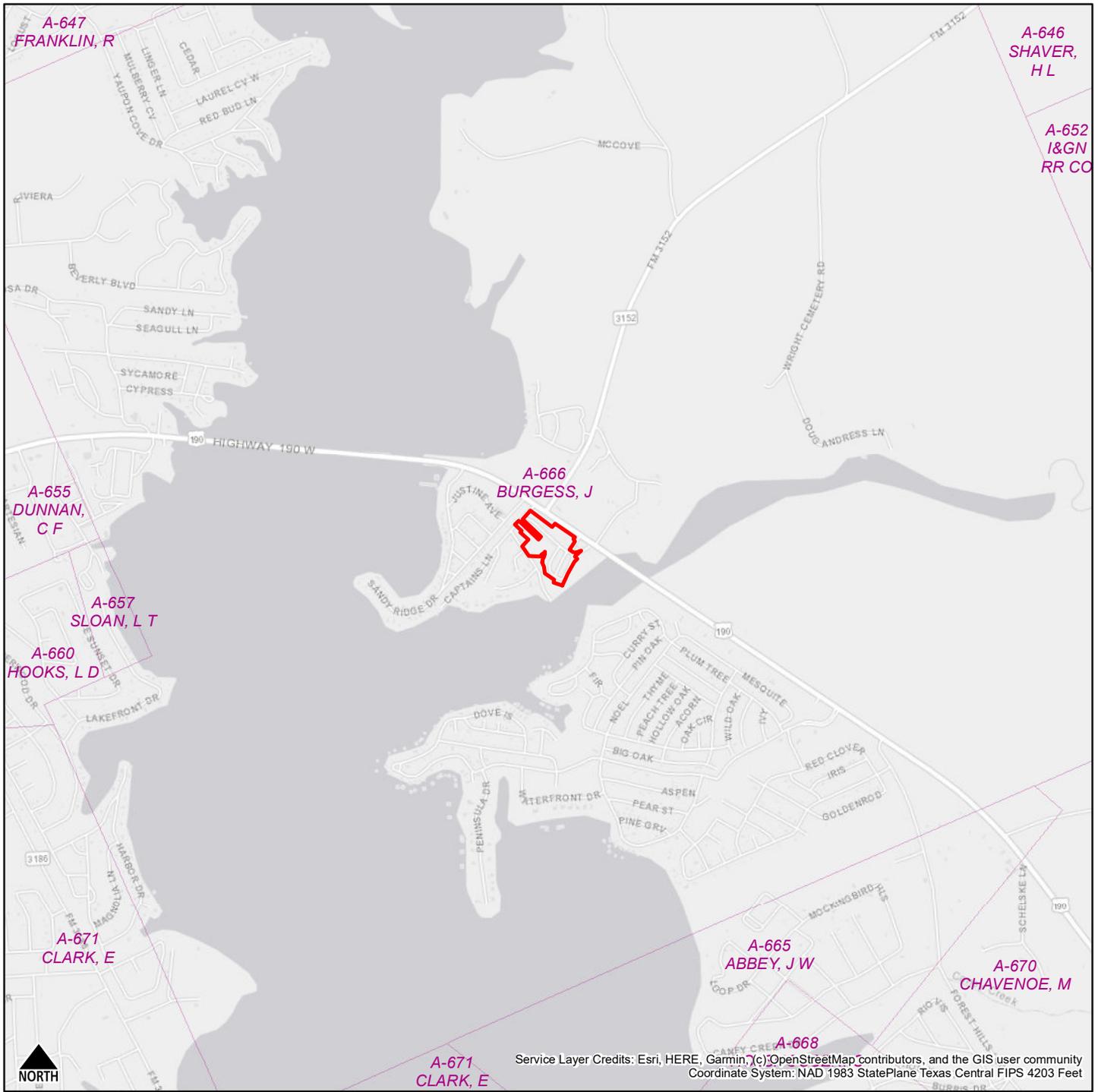
- |   |                            |   |                     |
|---|----------------------------|---|---------------------|
| — | AA ANHYDROUS AMMONIA       | — | NG NATURAL GAS      |
| — | CO2 CARBON DIOXIDE         | — | NGT NATURAL GAS     |
| — | CRD CRUDE OIL              | — | NGG NATURAL GAS     |
| — | CRO CRUDE OIL              | — | NFG NATURAL GAS FWS |
| — | CFL CRUDE OIL              | — | NFT NATURAL GAS FWS |
| — | CRL CRUDE FWS              | — | OGT OTHER GAS       |
| — | HVL HIGHLY VOLATILE LIQUID | — | OGG OTHER GAS       |
| — | PRD REFINED LIQUID PRODUCT | — | EMT EMPTY           |



Coordinate System: NAD 1983 StatePlane Texas Central FIPS 4203 Feet  
 0 0.1 0.2 0.4 Miles  
 1:12,000



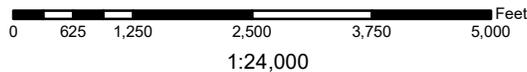
Source: Texas Railroad Commission (TxRRC) Property boundary and locations are representative only.



Source: TxRRC (01/25/2024), TX GLO

Property boundary and locations are representative only.

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## Texas Railroad Commission Operator Cleanup Program Sites

The Operator Cleanup Program (OCP) under the Site Remediation Section of the RRC has oversight of complex cleanups performed by the oil and gas industry. Complex sites include those that occur in sensitive environmental areas and may require site specific cleanup levels based on risk.

-  Original Texas Land Survey (RRC/GLO)
-  RRC Operator Cleanup Program Sites - Active

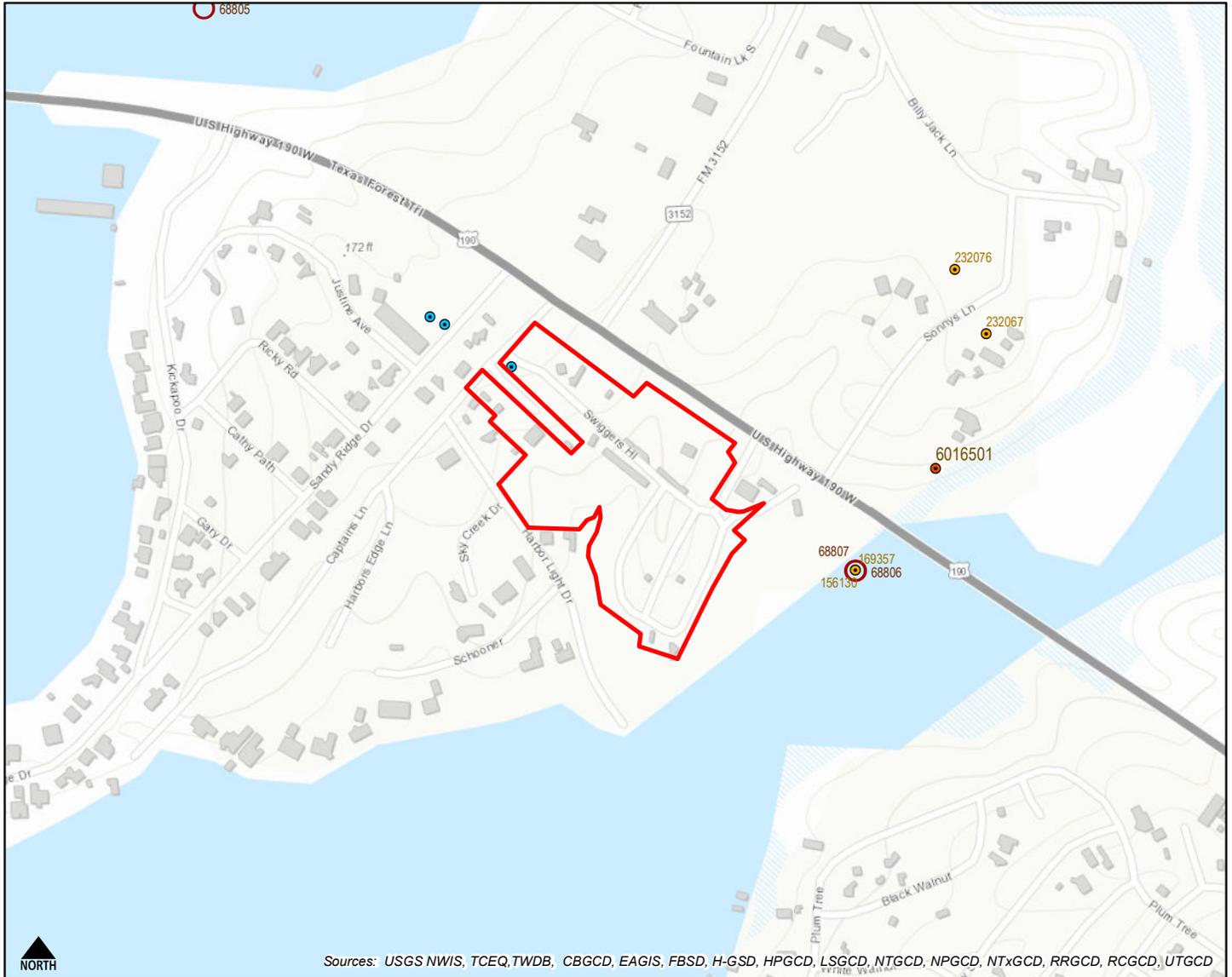
### RRC Operator Cleanup Program Sites - Closed

-  NFA
-  NFA/IC
-  Non-NFA



PE Project No: 202501055

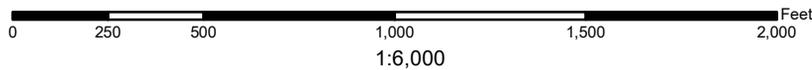
Coordinate System: NAD 1983 StatePlane Texas Central FIPS 4203 Feet



Sources: USGS NWIS, TCEQ, TWDB, CBGCD, EAGIS, FBSD, H-GSD, HPGCD, LSGCD, NTGCD, NPGCD, NTXGCD, RRGCD, RCGCD, UTGCD

Property boundary and locations are representative only.

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## Texas Water Wells with TCEQ MSD and Superfund Sites

### ● TCEQ Public Water Supply Wells (PWS)

The public water systems data was developed to support the TCEQ's Source Water Assessment and Protection Program (SWAP). The locations were obtained by the Water Supply Division as recorded from various sources. This layer was built using the best existing location data available but some errors still remain. (updated 06/30/2024)

### ● USGS National Water Inventory System (NWIS)

The National Water Information System (NWIS) provides access to USGS water data at over 1.5 million sites. This extensive database for the nation includes the occurrence, quantity, quality, distribution and movement of surface and underground waters. (updated 07/17/2024)

### ● TWDB Groundwater Database (GWDB)

The Groundwater Database (GWDB) of the Texas Water Development Board (TWDB) contains information about more than 130,000 water well, spring, and oil/gas test sites in Texas including associated water level and water quality data. Because data collection methods and data maintenance have varied and evolved over the years, the information in the GWDB has a range of accuracy. (updated 07/17/2024)

### ● TWDB Brackish Groundwater (BRACS)

The Brackish Resources Aquifer Characterization System (BRACS) Database was designed to store well and geology information in support of projects to characterize the brackish groundwater resources of Texas. Brackish groundwater contains dissolved minerals in the range of 1,000 to 9,999 milligrams per liter (mg/L). (updated 07/17/2024)

### ● TWDB Submitted Drillers Reports Database (SDRDB)

The Submitted Driller's Report Database is populated from the online Texas Well Report Submission and Retrieval System which is a cooperative Texas Department of Licensing and Regulation (TDLR) and Texas Water Development Board (TWDB) application that registered water-well drillers use to submit their required reports. This system was started 2/5/2001 and began collecting all reports in 2003. (upd 07/17/2024)

#### ● Well Locations

#### ○ Plugging Locations

#### ■ TCEQ MSD Boundary

An MSD is an official state designation given to property within a municipality or its extraterritorial jurisdiction that certifies that designated groundwater at the property is not used as potable water, and is prohibited from future use as potable water because that groundwater is contaminated in excess of the applicable potable-water protective concentration level. The prohibition must be in the form of a city ordinance, or a restrictive covenant that is enforceable by the city and filed in the property records. (updated 07/17/2024)

#### ★ TCEQ Superfund Sites ■ EPA Superfund Sites

TCEQ Superfund Sites includes both State and Federal sites in the State of Texas that have been designated as Superfund cleanup sites. Federal Superfund sites have a Hazardous Ranking System score of 28.5 or above and are also on the NPL. (updated 12/2022 and 07/2024)



PE Project No: 202501055

# **APPENDIX II**

## **PHOTO GALLERY**



1. Office building at southeast portion of subject property



2. Septic system at southeast portion of subject property



3. Water tank at northeast portion of subject property



4. Single-family residence at northeast portion of subject property



5. Water well at central portion of subject property



6. Self-storage buildings at central portion of subject property



7. Laundry room at central portion of subject property



8. Mobile homes at northwest portion of subject property



9. Water plant at northwest portion of subject property



10. Single-family residences at northwest portion of subject property



11. Interior view of onsite office building



12. Interior view of onsite office building



13. Interior view onsite laundry room



14. Northwest adjoining properties (single-family residential property)



15. Southeast adjoining properties (single-family residential property)



16. Septic spray field at southwest portion of subject property



17. Northeast adjoining property (Lake Livingston Lutheran Church)



18. Northeast adjoining property (Onalaska Fire & Rescue Station)



19. Northeast adjoining property (Chevron / Sandy Food Mart)



20. USTs at northeast adjoining property (Chevron / Sandy Food Mart)



21. Plugged monitoring well at northeast adjoining property (Chevron / Sandy Food Mart)



22. Northeast adjoining property (Sandy Creek RV Park event / game room)



23. Southwest adjoining property (boat launch)

# **APPENDIX III**

## **OWNERSHIP & PUBLIC DOCUMENTATION**

## Property Details

Account		
Property ID:	56733	Geographic ID: S0050001100
Type:	R	
Property Use:		
Location		
Situs Address:	165 CAPTAINS LN LIVINGSTON, TX 77351	
Map ID:	PLAT	Mapsco:
Legal Description:	SANDY CREEK LOT 13	
Abstract/Subdivision:	S0050	
Neighborhood:	(ONA ) ONALASKA	
Owner		
Owner ID:	154239	
Name:	ORSAK RONNIE & BARBARA & LANELL	
Agent:		
Mailing Address:	11941 US HWY 190 W LIVINGSTON, TX 77351	
% Ownership:	100.0%	
Exemptions:	For privacy reasons not all exemptions are shown online.	

## Property Values

Improvement Homesite Value:	\$0 (+)
Improvement Non-Homesite Value:	\$47,818 (+)
Land Homesite Value:	\$0 (+)
Land Non-Homesite Value:	\$9,056 (+)
Agricultural Market Valuation:	\$0 (+)
Market Value:	\$56,874 (=)

<b>Agricultural Value Loss:</b> ⓘ	\$0 (-)
<b>Appraised Value:</b>	\$56,874 (=)
<b>HS Cap Loss:</b> ⓘ	\$0 (-)
<b>Circuit Breaker:</b> ⓘ	\$0 (-)
<b>Assessed Value:</b>	\$56,874
<b>Ag Use Value:</b>	\$0

Information provided for research purposes only. Legal descriptions and acreage amounts are for Appraisal District use only and should be verified prior to using for legal purpose and or documents. Please contact the Appraisal District to verify all information for accuracy.

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## Property Improvement - Building

**Description:** RESIDENTIAL **Type:** Residential **Living Area:** 652.0 sqft **Value:** \$47,818

Type	Description	Class CD	Year Built	SQFT	Assessed Value
MA	MAIN AREA	FAIR R - WS	1986	540	\$34,911
MLS	LIVING AREA 2ND STORY	MLS - *	1986	112	\$6,281
MTL FAIR	METAL BUILDING FAIR QUALITY	MTL FAIR - WF	1993	336	\$6,380
PAT	PATIO	PAT	1986	64	\$246

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## Property Land

Type	Description	Acreage	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
S0050 INT	SANDY CREEK INTERIOR	0.28	12,075.00	75.00	161.00	\$9,056	\$0

## Property Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap Loss	Assessed
2024	\$47,818	\$9,056	\$0	\$56,874	\$0	\$56,874
2023	\$48,144	\$9,056	\$0	\$57,200	\$0	\$57,200
2022	\$32,716	\$6,792	\$0	\$39,508	\$0	\$39,508
2021	\$33,718	\$6,792	\$0	\$40,510	\$0	\$40,510
2020	\$30,381	\$6,038	\$0	\$36,419	\$0	\$36,419
2019	\$29,413	\$6,038	\$0	\$35,451	\$0	\$35,451
2018	\$28,151	\$6,038	\$0	\$34,189	\$0	\$34,189
2017	\$28,151	\$6,038	\$0	\$34,189	\$0	\$34,189
2016	\$44,187	\$6,038	\$0	\$50,225	\$0	\$50,225

## Property Deed History

Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Number
1/1/1900	UNK	UNKNOWN		TOLBERT, WAYNE R			
2/27/2018	GWD -	GWD -	TOLBERT WAYNE R	ORSAK RONNIE & BARBARA & LANELL	2142	091	01398

## Property Details

Account		
Property ID:	81463	Geographic ID: S0050001200
Type:	R	
Property Use:		
Location		
Situs Address:	SWIGGERS HILL LIVINGSTON, TX 77351	
Map ID:	PLAT	Mapsco:
Legal Description:	SANDY CREEK LOT 14	
Abstract/Subdivision:	S0050	
Neighborhood:	(ONA ) ONALASKA	
Owner		
Owner ID:	154239	
Name:	ORSAK RONNIE & BARBARA & LANELL	
Agent:		
Mailing Address:	11941 US HWY 190 W LIVINGSTON, TX 77351	
% Ownership:	100.0%	
Exemptions:	For privacy reasons not all exemptions are shown online.	

## Property Values

Improvement Homesite Value:	\$0 (+)
Improvement Non-Homesite Value:	\$0 (+)
Land Homesite Value:	\$0 (+)
Land Non-Homesite Value:	\$3,750 (+)
Agricultural Market Valuation:	\$0 (+)
Market Value:	\$3,750 (=)

<b>Agricultural Value Loss:</b> ⓘ	\$0 (-)
<b>Appraised Value:</b>	\$3,750 (=)
<b>HS Cap Loss:</b> ⓘ	\$0 (-)
<b>Circuit Breaker:</b> ⓘ	\$0 (-)
<b>Assessed Value:</b>	\$3,750
<b>Ag Use Value:</b>	\$0

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## Property Improvement - Building

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## Property Land

Type	Description	Acreage	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
S0050 INT	SANDY CREEK INTERIOR	0.11	5,000.00	50.00	100.00	\$3,750	\$0

## Property Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap Loss	Assessed
2024	\$0	\$3,750	\$0	\$3,750	\$0	\$3,750
2023	\$0	\$3,750	\$0	\$3,750	\$0	\$3,750
2022	\$0	\$2,813	\$0	\$2,813	\$0	\$2,813
2021	\$0	\$2,813	\$0	\$2,813	\$0	\$2,813
2020	\$0	\$2,500	\$0	\$2,500	\$0	\$2,500
2019	\$0	\$2,500	\$0	\$2,500	\$0	\$2,500
2018	\$0	\$2,500	\$0	\$2,500	\$0	\$2,500
2017	\$0	\$2,500	\$0	\$2,500	\$0	\$2,500
2016	\$0	\$2,500	\$0	\$2,500	\$0	\$2,500

## Property Deed History

Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Number
1/1/1900	UNK	UNKNOWN		SANDY CREEK			
12/1/1991	GWD	GENERAL WARRANTY DEED		TOLBERT,R W & PATRICIA ANN TOL			
2/27/2018	GWD -	GWD -	TOLBERT R W & PATRICIA A TOLBERT	ORSAK RONNIE & BARBARA & LANELL	2142	091	01398

## Property Details

Account		
Property ID:	44379	Geographic ID: S0050001300
Type:	R	
Property Use:		
Location		
Situs Address:	SWIGGERS HILL LIVINGSTON, TX 77351	
Map ID:	PLAT	Mapsco:
Legal Description:	SANDY CREEK LOT 15	
Abstract/Subdivision:	S0050	
Neighborhood:	(ONA ) ONALASKA	
Owner		
Owner ID:	52189	
Name:	ORSAK RONNIE W & LANELL M	
Agent:		
Mailing Address:	11941 US HWY 190 W LIVINGSTON, TX 77351-0000	
% Ownership:	100.0%	
Exemptions:	For privacy reasons not all exemptions are shown online.	

## Property Values

Improvement Homesite Value:	\$0 (+)
Improvement Non-Homesite Value:	\$144 (+)
Land Homesite Value:	\$0 (+)
Land Non-Homesite Value:	\$3,750 (+)
Agricultural Market Valuation:	\$0 (+)
Market Value:	\$3,894 (=)

<b>Agricultural Value Loss:</b> ⓘ	\$0 (-)
<b>Appraised Value:</b>	\$3,894 (=)
<b>HS Cap Loss:</b> ⓘ	\$0 (-)
<b>Circuit Breaker:</b> ⓘ	\$0 (-)
<b>Assessed Value:</b>	\$3,894
<b>Ag Use Value:</b>	\$0

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Property Improvement - Building

**Description:** STORAGE **Type:** Misc Imp **Living Area:** 0 sqft **Value:** \$144

Type	Description	Class CD	Year Built	SQFT	Assessed Value
ST	STORAGE	ST	1990	80	\$144

---

Property Land

Type	Description	Acreage	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
S0050 INT	SANDY CREEK INTERIOR	0.11	5,000.00	50.00	100.00	\$3,750	\$0

## Property Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap Loss	Assessed
2024	\$144	\$3,750	\$0	\$3,894	\$0	\$3,894
2023	\$144	\$3,750	\$0	\$3,894	\$0	\$3,894
2022	\$173	\$2,813	\$0	\$2,986	\$0	\$2,986
2021	\$173	\$2,813	\$0	\$2,986	\$0	\$2,986
2020	\$173	\$2,500	\$0	\$2,673	\$0	\$2,673
2019	\$173	\$2,500	\$0	\$2,673	\$0	\$2,673
2018	\$173	\$2,500	\$0	\$2,673	\$0	\$2,673
2017	\$173	\$2,500	\$0	\$2,673	\$0	\$2,673
2016	\$0	\$2,500	\$0	\$2,500	\$0	\$2,500

## Property Deed History

Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Number
1/1/1900	UNK	UNKNOWN		SANDY CREEK			
7/5/2002	WD-SL	WD-SL	OLDS, MIKE & KAY	TERRY, HUGH & MARILYNN	1277	0888	
1/1/1900	UNK	UNKNOWN		OLDS, MIKE & KAY			
7/5/2002	WD/VL	WD/VL	TERRY, HUGH & MARILYNN	ORSAK, RONNIE W & LANELL M	1277	0894	

## Property Details

Account		
Property ID:	81464	Geographic ID: S0050001400
Type:	R	
Property Use:		
Location		
Situs Address:	150 SWIGGERS HILL LIVINGSTON, TX 77351	
Map ID:	PLAT	Mapsco:
Legal Description:	SANDY CREEK LOT 16	
Abstract/Subdivision:	S0050	
Neighborhood:	(ONA ) ONALASKA	
Owner		
Owner ID:	52189	
Name:	ORSAK RONNIE W & LANELL M	
Agent:		
Mailing Address:	11941 US HWY 190 W LIVINGSTON, TX 77351-0000	
% Ownership:	100.0%	
Exemptions:	For privacy reasons not all exemptions are shown online.	

## Property Values

Improvement Homesite Value:	\$0 (+)
Improvement Non-Homesite Value:	\$6,090 (+)
Land Homesite Value:	\$0 (+)
Land Non-Homesite Value:	\$3,750 (+)
Agricultural Market Valuation:	\$0 (+)
Market Value:	\$9,840 (=)

<b>Agricultural Value Loss:</b> ⓘ	\$0 (-)
<b>Appraised Value:</b>	\$9,840 (=)
<b>HS Cap Loss:</b> ⓘ	\$0 (-)
<b>Circuit Breaker:</b> ⓘ	\$0 (-)
<b>Assessed Value:</b>	\$9,840
<b>Ag Use Value:</b>	\$0

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## Property Improvement - Building

**Description:** CANOPIES **Type:** Misc Imp **Living Area:** 0 sqft **Value:** \$6,090

Type	Description	Class CD	Year Built	SQFT	Assessed Value
CPY	CANOPY	CPY - *	1980	672	\$2,030
OP	OPEN PORCH	OP - *	1980	672	\$2,030
CP	CARPORT	CP - *	1980	672	\$2,030

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## Property Land

Type	Description	Acreage	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
S0050 INT	SANDY CREEK INTERIOR	0.11	5,000.00	50.00	100.00	\$3,750	\$0

## Property Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap Loss	Assessed
2024	\$6,090	\$3,750	\$0	\$9,840	\$0	\$9,840
2023	\$6,090	\$3,750	\$0	\$9,840	\$0	\$9,840
2022	\$6,090	\$2,813	\$0	\$8,903	\$0	\$8,903
2021	\$6,090	\$2,813	\$0	\$8,903	\$0	\$8,903
2020	\$6,090	\$2,500	\$0	\$8,590	\$0	\$8,590
2019	\$6,090	\$2,500	\$0	\$8,590	\$0	\$8,590
2018	\$6,090	\$2,500	\$0	\$8,590	\$0	\$8,590
2017	\$6,090	\$2,500	\$0	\$8,590	\$0	\$8,590
2016	\$9,173	\$2,500	\$0	\$11,673	\$0	\$11,673

## Property Deed History

Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Number
1/1/1900	UNK	UNKNOWN		HUGH, TERRY			
7/5/2002	WD/VL	WD/VL	HUGH, TERRY	ORSAK, RONNIE W & LANELL M	1277	0894	

## Property Details

Account		
Property ID:	81465	Geographic ID: S0050001500
Type:	R	
Property Use:		
Location		
Situs Address:	150 SWIGGERS HILL LIVINGSTON, TX 77351	
Map ID:	PLAT	Mapsco:
Legal Description:	SANDY CREEK LOT 17	
Abstract/Subdivision:	S0050	
Neighborhood:	(ONA ) ONALASKA	
Owner		
Owner ID:	52189	
Name:	ORSAK RONNIE W & LANELL M	
Agent:		
Mailing Address:	11941 US HWY 190 W LIVINGSTON, TX 77351-0000	
% Ownership:	100.0%	
Exemptions:	For privacy reasons not all exemptions are shown online.	

## Property Values

Improvement Homesite Value:	\$0 (+)
Improvement Non-Homesite Value:	\$0 (+)
Land Homesite Value:	\$0 (+)
Land Non-Homesite Value:	\$3,750 (+)
Agricultural Market Valuation:	\$0 (+)
Market Value:	\$3,750 (=)

<b>Agricultural Value Loss:</b> ⓘ	\$0 (-)
<b>Appraised Value:</b>	\$3,750 (=)
<b>HS Cap Loss:</b> ⓘ	\$0 (-)
<b>Circuit Breaker:</b> ⓘ	\$0 (-)
<b>Assessed Value:</b>	\$3,750
<b>Ag Use Value:</b>	\$0

Information provided for research purposes only. Legal descriptions and acreage amounts are for Appraisal District use only and should be verified prior to using for legal purpose and or documents. Please contact the Appraisal District to verify all information for accuracy.

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## Property Improvement - Building

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## Property Land

Type	Description	Acreage	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
S0050 INT	SANDY CREEK INTERIOR	0.11	5,000.00	50.00	100.00	\$3,750	\$0

## Property Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap Loss	Assessed
2024	\$0	\$3,750	\$0	\$3,750	\$0	\$3,750
2023	\$0	\$3,750	\$0	\$3,750	\$0	\$3,750
2022	\$0	\$2,813	\$0	\$2,813	\$0	\$2,813
2021	\$0	\$2,813	\$0	\$2,813	\$0	\$2,813
2020	\$0	\$2,500	\$0	\$2,500	\$0	\$2,500
2019	\$0	\$2,500	\$0	\$2,500	\$0	\$2,500
2018	\$0	\$2,500	\$0	\$2,500	\$0	\$2,500
2017	\$0	\$2,500	\$0	\$2,500	\$0	\$2,500
2016	\$0	\$2,500	\$0	\$2,500	\$0	\$2,500

## Property Deed History

Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Number
7/5/2002	WD/VL	WD/VL	HUGH, TERRY	ORSAKE, RONNIE W & LANELL M	1277	0894	
1/1/1900	UNK	UNKNOWN		HUGH, TERRY			

## Property Details

Account		
Property ID:	56730	Geographic ID: S0050000500
Type:	R	
Property Use:		
Location		
Situs Address:	156 SWIGGERS HILL LIVINGSTON, TX 77351	
Map ID:	PLAT	Mapsco:
Legal Description:	SANDY CREEK LOT 6	
Abstract/Subdivision:	S0050	
Neighborhood:	(ONA ) ONALASKA	
Owner		
Owner ID:	52189	
Name:	ORSAK RONNIE W & LANELL M	
Agent:		
Mailing Address:	11941 US HWY 190 W LIVINGSTON, TX 77351-0000	
% Ownership:	100.0%	
Exemptions:	For privacy reasons not all exemptions are shown online.	

## Property Values

Improvement Homesite Value:	\$0 (+)
Improvement Non-Homesite Value:	\$1,075 (+)
Land Homesite Value:	\$0 (+)
Land Non-Homesite Value:	\$3,750 (+)
Agricultural Market Valuation:	\$0 (+)
Market Value:	\$4,825 (=)

<b>Agricultural Value Loss:</b> ⓘ	\$0 (-)
<b>Appraised Value:</b>	\$4,825 (=)
<b>HS Cap Loss:</b> ⓘ	\$0 (-)
<b>Circuit Breaker:</b> ⓘ	\$0 (-)
<b>Assessed Value:</b>	\$4,825
<b>Ag Use Value:</b>	\$0

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Property Improvement - Building

**Description:** BARN **Type:** Misc Imp **Living Area:** 0 sqft **Value:** \$1,075

Type	Description	Class CD	Year Built	SQFT	Assessed Value
BN	BARN POLE & TIN ENCLOSED	BN - *	1970	448	\$1,075

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Property Land

Type	Description	Acreage	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
S0050 INT	SANDY CREEK INTERIOR	0.11	5,000.00	50.00	100.00	\$3,750	\$0

## Property Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap Loss	Assessed
2024	\$1,075	\$3,750	\$0	\$4,825	\$0	\$4,825
2023	\$1,075	\$3,750	\$0	\$4,825	\$0	\$4,825
2022	\$1,120	\$2,813	\$0	\$3,933	\$0	\$3,933
2021	\$1,120	\$2,813	\$0	\$3,933	\$0	\$3,933
2020	\$672	\$2,500	\$0	\$3,172	\$0	\$3,172
2019	\$672	\$2,500	\$0	\$3,172	\$0	\$3,172
2018	\$672	\$2,500	\$0	\$3,172	\$0	\$3,172
2017	\$672	\$2,500	\$0	\$3,172	\$0	\$3,172
2016	\$941	\$2,500	\$0	\$3,441	\$0	\$3,441

## Property Deed History

Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Number
1/1/1900	UNK	UNKNOWN		TERRY, HUGH			
7/5/2002	WD/VL	WD/VL	TERRY, HUGH	ORSAK, RONNIE W & LANELL M	1277	0894	

## Property Details

Account		
Property ID:	60550	Geographic ID: S0050000200
Type:	R	
Property Use:		
Location		
Situs Address:	HARBORLIGHT DR LIVINGSTON, TX 77351	
Map ID:	PLAT	Mapsc0:
Legal Description:	SANDY CREEK LOT 3, 4, 5 & 7	
Abstract/Subdivision:	S0050	
Neighborhood:	(ONA ) ONALASKA	
Owner		
Owner ID:	52180	
Name:	ORSAK RONNIE & LANELL M	
Agent:		
Mailing Address:	%SANDY CREEK RESORT & CAMPGROUND 11941 US HWY 190 W LIVINGSTON, TX 77351-0000	
% Ownership:	100.0%	
Exemptions:	For privacy reasons not all exemptions are shown online.	

## Property Values

Improvement Homesite Value:	\$0 (+)
Improvement Non-Homesite Value:	\$0 (+)
Land Homesite Value:	\$0 (+)
Land Non-Homesite Value:	\$18,271 (+)
Agricultural Market Valuation:	\$0 (+)

<b>Market Value:</b>	\$18,271 (=)
<b>Agricultural Value Loss:</b> ⓘ	\$0 (-)
<b>Appraised Value:</b>	\$18,271 (=)
<b>HS Cap Loss:</b> ⓘ	\$0 (-)
<b>Circuit Breaker:</b> ⓘ	\$0 (-)
<b>Assessed Value:</b>	\$18,271
<b>Ag Use Value:</b>	\$0

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Property Improvement - Building

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Property Land

Type	Description	Acreage	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
S0050 INT	SANDY CREEK INTERIOR	1.12	48,723.00	48,723.00	1.00	\$18,271	\$0

## Property Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap Loss	Assessed
2024	\$0	\$18,271	\$0	\$18,271	\$0	\$18,271
2023	\$0	\$18,271	\$0	\$18,271	\$0	\$18,271
2022	\$0	\$12,790	\$0	\$12,790	\$0	\$12,790
2021	\$0	\$12,790	\$0	\$12,790	\$0	\$12,790
2020	\$0	\$10,963	\$0	\$10,963	\$0	\$10,963
2019	\$0	\$10,963	\$0	\$10,963	\$0	\$10,963
2018	\$0	\$10,963	\$0	\$10,963	\$0	\$10,963
2017	\$0	\$10,963	\$0	\$10,963	\$0	\$10,963
2016	\$0	\$10,963	\$0	\$10,963	\$0	\$10,963

## Property Deed History

Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Number
1/1/1900	UNK	UNKNOWN		JONES, B J			
1/28/2000			HICKMAN, DEMPSEY & JERRY & BEL	ORSAK, RONNIE & LANELL M	1164	933	
8/3/1999			DANIELS, LINDA	HICKMAN, DEMPSEY & JERRY HICKM	1146	146	
7/7/1995			JONES, B J	DANIELS, LINDA	977	640	

## Property Details

<b>Account</b>		
<b>Property ID:</b>	10561	<b>Geographic ID:</b> 10007009900
<b>Type:</b>	R	
<b>Property Use:</b>		
<b>Location</b>		
<b>Situs Address:</b>	11975 US HIGHWAY 190 W LIVINGSTON, TX 77351	
<b>Map ID:</b>	E12	<b>Mapsco:</b>
<b>Legal Description:</b>	ABST 7 JNO BURGESS SURVEY TRACT 67	
<b>Abstract/Subdivision:</b>	10007	
<b>Neighborhood:</b>	(ONA ) ONALASKA	
<b>Owner</b>		
<b>Owner ID:</b>	151517	
<b>Name:</b>	ORSAK LANELL & RONNIE	
<b>Agent:</b>		
<b>Mailing Address:</b>	222 SONNY'S LANE LIVINGSTON, TX 77351	
<b>% Ownership:</b>	100.0%	
<b>Exemptions:</b>	For privacy reasons not all exemptions are shown online.	

## Property Values

<b>Improvement Homesite Value:</b>	\$0 (+)
<b>Improvement Non-Homesite Value:</b>	\$75,509 (+)
<b>Land Homesite Value:</b>	\$0 (+)
<b>Land Non-Homesite Value:</b>	\$40,220 (+)
<b>Agricultural Market Valuation:</b>	\$0 (+)
<b>Market Value:</b>	\$115,729 (=)

<b>Agricultural Value Loss:</b> ⓘ	\$0 (-)
<b>Appraised Value:</b>	\$115,729 (=)
<b>HS Cap Loss:</b> ⓘ	\$0 (-)
<b>Circuit Breaker:</b> ⓘ	\$0 (-)
<b>Assessed Value:</b>	\$115,729
<b>Ag Use Value:</b>	\$0

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## Property Improvement - Building

**Description:** RESIDENTIAL **Type:** Residential **Living Area:** 1137.0 sqft **Value:** \$75,509

Type	Description	Class CD	Year Built	SQFT	Assessed Value
MA	MAIN AREA	FAIR R - WS	1975	1137	\$54,623
AG	ATTACHED GARAGE	AG - *	1975	759	\$18,606
OP	OPEN PORCH	OP - *	1975	150	\$1,838
PAT	PATIO	PAT - *	1975	368	\$442

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## Property Land

Type	Description	Acreage	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
H90B	H90B	0.91	39,639.60	0.00	0.00	\$40,220	\$0

## Property Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap Loss	Assessed
2024	\$75,509	\$40,220	\$0	\$115,729	\$0	\$115,729
2023	\$76,099	\$40,220	\$0	\$116,319	\$0	\$116,319
2022	\$65,320	\$19,109	\$0	\$84,429	\$0	\$84,429
2021	\$66,518	\$14,104	\$0	\$80,622	\$0	\$80,622
2020	\$64,864	\$10,253	\$0	\$75,117	\$0	\$75,117
2019	\$79,034	\$10,253	\$0	\$89,287	\$0	\$89,287
2018	\$74,561	\$10,253	\$0	\$84,814	\$0	\$84,814
2017	\$74,561	\$10,253	\$0	\$84,814	\$0	\$84,814
2016	\$71,907	\$12,573	\$0	\$84,480	\$0	\$84,480

## Property Deed History

Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Number
8/16/1996	WD	WARRANTY DEED	BROWN, MARNELL	PARKER, A W & VICKI	1728	0559	
1/1/2000	UNK	UNKNOWN	PARKER, A W & VICKI	BROWN, MARNELL			
1/1/1900	UNK	UNKNOWN		BROWN, MARNELL			
1/3/2017	WD/VL	WD/VL	BROWN MARNELL	ORSAK LANELL & RONNIE	2082	422	0109

## Property Details

<b>Account</b>		
<b>Property ID:</b>	10531	<b>Geographic ID:</b> 10007004000
<b>Type:</b>	R	
<b>Property Use:</b>		
<b>Location</b>		
<b>Situs Address:</b>	11941 US HIGHWAY 190 W LIVINGSTON, TX 77351	
<b>Map ID:</b>	E12	<b>Mapsco:</b>
<b>Legal Description:</b>	ABST 7 JNO BURGESS SURVEY TRACT 24-A	
<b>Abstract/Subdivision:</b>	10007	
<b>Neighborhood:</b>	(ONA ) ONALASKA	
<b>Owner</b>		
<b>Owner ID:</b>	52180	
<b>Name:</b>	ORSAK RONNIE & LANELL M	
<b>Agent:</b>		
<b>Mailing Address:</b>	%SANDY CREEK RESORT & CAMPGROUND 11941 US HWY 190 W LIVINGSTON, TX 77351-0000	
<b>% Ownership:</b>	100.0%	
<b>Exemptions:</b>	For privacy reasons not all exemptions are shown online.	

## Property Values

<b>Improvement Homesite Value:</b>	\$0 (+)
<b>Improvement Non-Homesite Value:</b>	\$211,556 (+)
<b>Land Homesite Value:</b>	\$0 (+)
<b>Land Non-Homesite Value:</b>	\$365,122 (+)
<b>Agricultural Market Valuation:</b>	\$0 (+)

<b>Market Value:</b>	\$576,678 (=)
<b>Agricultural Value Loss:</b> ⓘ	\$0 (-)
<b>Appraised Value:</b>	\$576,678 (=)
<b>HS Cap Loss:</b> ⓘ	\$0 (-)
<b>Circuit Breaker:</b> ⓘ	\$0 (-)
<b>Assessed Value:</b>	\$576,678
<b>Ag Use Value:</b>	\$0

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## Property Improvement - Building

**Description:** METAL BUILDING RV HOOKUPS **Type:** Commercial **Living Area:** 0 sqft **Value:** \$154,428

Type	Description	Class CD	Year Built	SQFT	Assessed Value
MTL LOW	METAL BUILDING LOW QUALITY	MTL LOW - MF	1975	1200	\$12,971
OP	OPEN PORCH	OP	1975	66	\$238
ST	STORAGE	ST	1975	480	\$3,024
WD	WOOD DECK	WD	1975	300	\$743
OP	OPEN PORCH	OP	1975	210	\$756
RVH2	RV HOOK UP LOW	RVH2 - *	1975	1	\$1,410
CO	CONCRETE	CO - *	1975	2240	\$5,544
AS	ASPHALT	AS - *	1980	33640	\$43,732

**Description:** METAL BUILDING **Type:** Commercial **Living Area:** 0 sqft **Value:** \$51,181

Type	Description	Class CD	Year Built	SQFT	Assessed Value
MTL LOW	METAL BUILDING LOW QUALITY	MTL LOW - WF	1980	576	\$6,383
CPY	CANOPY	CPY	1980	72	\$133
OP	OPEN PORCH	OP	1980	72	\$133
RVH1	RV HOOK UP CHEAP	RVH1	1987	1	\$1,221
SD	SHED	SD	1980	3400	\$8,160
SD	SHED	SD	1980	7451	\$17,882
CPY	CANOPY	CPY	1980	250	\$175

**Description:** PIERS **Type:** Commercial **Living Area:** 0 sqft **Value:** \$5,947

Type	Description	Class CD	Year Built	SQFT	Assessed Value
PIER	PIER	PIER	1975	320	\$2,464
PIER	PIER	PIER	1975	160	\$1,232
PIER	PIER	PIER	1975	80	\$448
PIER	PIER	PIER	1975	90	\$693
PIER	PIER	PIER	1975	55	\$385
PIER	PIER	PIER	1975	80	\$448

PIER	PIER	PIER	1975	36	\$277
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**Property Land**

Type	Description	Acreage	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
C9	C9	5.14	223,811.28	0.00	0.00	\$108,322	\$0
ABST 7 WF	ABSTRACT 7 WATERFRONT	1.56	67,953.60	1,070.00	1.00	\$256,800	\$0

## Property Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap Loss	Assessed
2024	\$211,556	\$365,122	\$0	\$576,678	\$0	\$576,678
2023	\$211,556	\$365,122	\$0	\$576,678	\$0	\$576,678
2022	\$213,724	\$365,122	\$0	\$578,846	\$0	\$578,846
2021	\$212,329	\$365,122	\$0	\$577,451	\$0	\$577,451
2020	\$211,419	\$365,122	\$0	\$576,541	\$0	\$576,541
2019	\$211,419	\$365,122	\$0	\$576,541	\$0	\$576,541
2018	\$211,419	\$365,122	\$0	\$576,541	\$0	\$576,541
2017	\$211,419	\$365,122	\$0	\$576,541	\$0	\$576,541
2016	\$210,393	\$365,122	\$0	\$575,515	\$0	\$575,515

## Property Deed History

Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Number
7/7/1995			SANDY CREEK MARINA	DANIELS, LINDA	977	640	
8/3/1999			DANIELS, LINDA	HICKMAN, DEMPSEY & JERRY HICKM	1146	146	
1/28/2000			HICKMAN, DEMPSEY & JERRY & BEL	ORSAK, RONNIE & LANELL M	1164	933	
1/1/1900	UNK	UNKNOWN		SANDY CREEK MARINA			

## Property Details

Account		
Property ID:	226325	Geographic ID: S0050001301
Type:	R	
Property Use:		
Location		
Situs Address:	SWIGGERS HILL ONALASKA, TX 77360	
Map ID:	PLAT	Mapsco:
Legal Description:	SANDY CREEK LOT 15 SERIAL# N/A HUD# N/A IMP ONLY	
Abstract/Subdivision:	S0050	
Neighborhood:	(ONA) ONALASKA	
Owner		
Owner ID:	52189	
Name:	ORSAK RONNIE W & LANELL M	
Agent:		
Mailing Address:	11941 US HWY 190 W LIVINGSTON, TX 77351-0000	
% Ownership:	100.0%	
Exemptions:	For privacy reasons not all exemptions are shown online.	

## Property Values

Improvement Homesite Value:	\$0 (+)
Improvement Non-Homesite Value:	\$12,020 (+)
Land Homesite Value:	\$0 (+)
Land Non-Homesite Value:	\$0 (+)
Agricultural Market Valuation:	\$0 (+)
Market Value:	\$12,020 (=)

<b>Agricultural Value Loss:</b> ⓘ	\$0 (-)
<b>Appraised Value:</b>	\$12,020 (=)
<b>HS Cap Loss:</b> ⓘ	\$0 (-)
<b>Circuit Breaker:</b> ⓘ	\$0 (-)
<b>Assessed Value:</b>	\$12,020
<b>Ag Use Value:</b>	\$0

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Property Improvement - Building

**Description:** MOBILE HOME **Type:** Mobile Home **Living Area:** 456.0 sqft **Value:** \$12,020

Type	Description	Class CD	Year Built	SQFT	Assessed Value
MA	MAIN AREA	ML12	1990	456	\$9,193
OP	OPEN PORCH	OP	1990	304	\$1,915
CPY	CANOPY	CPY	1990	456	\$912

## Property Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap Loss	Assessed
2024	\$12,020	\$0	\$0	\$12,020	\$0	\$12,020
2023	\$12,020	\$0	\$0	\$12,020	\$0	\$12,020
2022	\$7,347	\$0	\$0	\$7,347	\$0	\$7,347
2021	\$7,347	\$0	\$0	\$7,347	\$0	\$7,347
2020	\$7,347	\$0	\$0	\$7,347	\$0	\$7,347
2019	\$7,347	\$0	\$0	\$7,347	\$0	\$7,347
2018	\$7,347	\$0	\$0	\$7,347	\$0	\$7,347
2017	\$7,347	\$0	\$0	\$7,347	\$0	\$7,347

## Property Details

<b>Account</b>		
<b>Property ID:</b>	10352	<b>Geographic ID:</b> 10007003606
<b>Type:</b>	R	
<b>Property Use:</b>		
<b>Location</b>		
<b>Situs Address:</b>	SANDY CREEK CAMPGROUND LIVINGSTON, TX 77351	
<b>Map ID:</b>	D13	<b>Mapsco:</b>
<b>Legal Description:</b>	ABST 7 JNO BURGESS SURVEY TRACT 24-A SERIAL #1 CX12291 LABEL #1 TEX0231315 IMP ONLY	
<b>Abstract/Subdivision:</b>	10007	
<b>Neighborhood:</b>	(ONA ) ONALASKA	
<b>Owner</b>		
<b>Owner ID:</b>	107352	
<b>Name:</b>	ORSAK RONNIE	
<b>Agent:</b>		
<b>Mailing Address:</b>	11941 US HWY 190 W LIVINGSTON, TX 77351-0000	
<b>% Ownership:</b>	100.0%	
<b>Exemptions:</b>	For privacy reasons not all exemptions are shown online.	

## Property Values

<b>Improvement Homesite Value:</b>	\$0 (+)
<b>Improvement Non-Homesite Value:</b>	\$23,327 (+)
<b>Land Homesite Value:</b>	\$0 (+)
<b>Land Non-Homesite Value:</b>	\$0 (+)
<b>Agricultural Market Valuation:</b>	\$0 (+)

<b>Market Value:</b>	\$23,327 (=)
<b>Agricultural Value Loss:</b> ⓘ	\$0 (-)
<b>Appraised Value:</b>	\$23,327 (=)
<b>HS Cap Loss:</b> ⓘ	\$0 (-)
<b>Circuit Breaker:</b> ⓘ	\$0 (-)
<b>Assessed Value:</b>	\$23,327
<b>Ag Use Value:</b>	\$0

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## Property Improvement - Building

**Description:** MOBILE HOME **Type:** Mobile Home **Living Area:** 760.0 sqft **Value:** \$23,327

Type	Description	Class CD	Year Built	SQFT	Assessed Value
MA	MAIN AREA	MA14 - *	1980	560	\$14,417
MLA	LIVING AREA 1ST STORY	MLA - *	2003	200	\$6,436
OP	OPEN PORCH	OP - *	1980	140	\$901
OP	OPEN PORCH	OP - *	1995	84	\$676
WD	WOOD DECK	WD - *	1980	80	\$309
BS	BUILDING STORAGE	BS - *	1995	60	\$588

## Property Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap Loss	Assessed
2024	\$23,327	\$0	\$0	\$23,327	\$0	\$23,327
2023	\$23,327	\$0	\$0	\$23,327	\$0	\$23,327
2022	\$12,524	\$0	\$0	\$12,524	\$0	\$12,524
2021	\$12,524	\$0	\$0	\$12,524	\$0	\$12,524
2020	\$11,511	\$0	\$0	\$11,511	\$0	\$11,511
2019	\$11,511	\$0	\$0	\$11,511	\$0	\$11,511
2018	\$11,511	\$0	\$0	\$11,511	\$0	\$11,511
2017	\$11,511	\$0	\$0	\$11,511	\$0	\$11,511
2016	\$8,692	\$0	\$0	\$8,692	\$0	\$8,692

## Property Deed History

Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Number
1/1/2000	UNK	UNKNOWN		ORSAK, RONNIE			

## Property Details

<b>Account</b>		
<b>Property ID:</b>	93284	<b>Geographic ID:</b> WA960191000
<b>Type:</b>	P	
<b>Property Use:</b>		
<b>Location</b>		
<b>Situs Address:</b>	11941 HWY 190 W TX	
<b>Map ID:</b>		<b>Mapsco:</b>
<b>Legal Description:</b>	(PP)WATER SYSTEM 1 WELL & 74 CONNECTIONS	
<b>Abstract/Subdivision:</b>		
<b>Neighborhood:</b>		
<b>Owner</b>		
<b>Owner ID:</b>	102130	
<b>Name:</b>	ORSAK RONNIE AND LANELL M	
<b>Agent:</b>		
<b>Mailing Address:</b>	11941 HWY 190 W LIVINGSTON, TX 77351-0000	
<b>% Ownership:</b>	100.0%	
<b>Exemptions:</b>	For privacy reasons not all exemptions are shown online.	

## Property Values

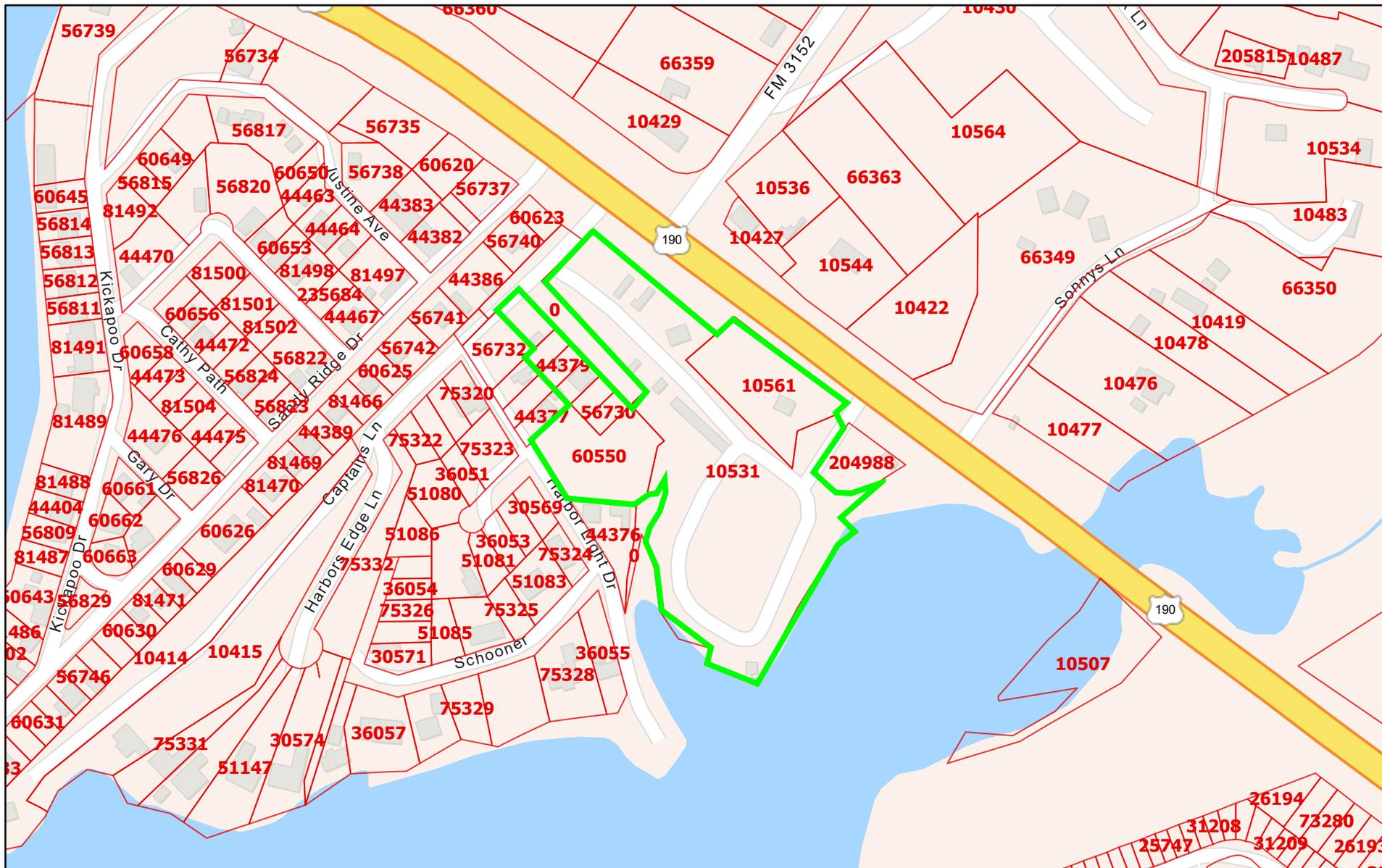
<b>Personal Property Value:</b>	\$20,110
<b>Market Value:</b>	\$20,110
<b>Assessed Value:</b>	\$20,110

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## Property Roll Value History

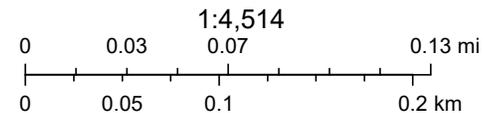
Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap Loss	Assessed
2024	\$0	\$0	\$0	\$20,110	\$0	\$20,110
2023	\$0	\$0	\$0	\$20,110	\$0	\$20,110
2022	\$0	\$0	\$0	\$20,110	\$0	\$20,110
2021	\$0	\$0	\$0	\$20,110	\$0	\$20,110
2020	\$0	\$0	\$0	\$20,110	\$0	\$20,110
2019	\$0	\$0	\$0	\$20,110	\$0	\$20,110
2018	\$0	\$0	\$0	\$20,110	\$0	\$20,110
2017	\$0	\$0	\$0	\$20,110	\$0	\$20,110
2016	\$0	\$0	\$0	\$20,110	\$0	\$20,110

# Polk CAD Web Map



1/17/2025, 2:12:40 PM

-  Parcels
-  Abstracts



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Polk Central Appraisal District, BIS Consulting - [www.bisconsulting.com](http://www.bisconsulting.com)

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## REAL ESTATE SALES CONTRACT

This REAL ESTATE SALES CONTRACT (“*Contract*”) is entered into by Ronnie W. Orsak (“*RWO*”), Barabara Johnson Orsak (“*BJO*”) and LaNell M Orsak (“*LMO*”; LMO RWO and BJO are herein collectively referred to as “*Seller*”), and Uncontained Living (“*Purchaser*”), or its assigns as permitted under this Contract.

### RECITALS

Seller desires to sell to Purchaser and Purchaser desires to purchase from Seller all of Seller’s right, title, and interest in and to the real property described below and any improvements on it.

### AGREEMENT

In consideration of these recitals, the mutual covenants, agreements, and obligations stated below, and other good and valuable consideration, the receipt and sufficiency of which are acknowledged, Seller and Purchaser agree as follows:

### ARTICLE 1 SALE AND PURCHASE

**1.1. Property.** Subject to the terms and conditions set forth in this Contract, Purchaser agrees to purchase from Seller, and Seller agrees to sell to Purchaser, the properties described on the hereto attached **Exhibit A** and more particularly described as follows (collectively, “*Property*”):

(a) Real Property. The real property described in **Exhibit A**,

together with (1) all buildings, structures, fixtures, and improvements situated on, in, or under the real property (collectively, the “*Improvements*”), and (2) all of Seller’s right, title, and interest in and to the appurtenances to the real property, including but not limited to all right, title, and interest of Seller in and to adjacent roads, rights-of-way, alleys, drainage facilities, easements, and utility facilities and strips and gores between the described real property and abutting properties, and all utility, access, and development rights (collectively, “*Real Property*”).

(b) Leases. All of Seller’s right, title, and interest in any leases, licenses, occupancy agreements, or other agreements demising space in and providing for the use or occupancy of the Real Property (each a “*Lease*”, and collectively, “*Leases*”), and the security deposits for the Leases.

(c) Service Contracts. To the extent Purchaser agrees and subject to Section 5.4, Seller will assign to Purchaser, all of Seller’s right, title, and interest in and to any service or maintenance contracts for the provision of labor, services, materials, or supplies relating to the ownership, maintenance, and operation of the Real Property and Personal Property (each a “*Service Contract*,” and collectively, “*Service Contracts*”).

(d) Licenses and Permits. To the extent assignable by Seller to Purchaser, all of Seller's right, title, and interest in and to (1) licenses, permits, certificates of occupancy, or similar documents relating to the Real Property and Personal Property, and (2) plans, drawings, specifications, surveys, engineering reports, and other technical descriptions of the Real Property (collectively, "*Licenses and Permits*").

(e) Laundromat. All of Seller's right, title, and interest related to the onsite laundromat and the laundromat machines and equipment therein.

(f) 2011 Polaris. All of Seller's right, title, and interest related to the 2011 Polaris side-by-side vehicle which currently services the Real Property.

The Property shall exclude any personal property of the Seller, including, without limitation, any office furniture, office equipment, computers, etc.

## **ARTICLE 2 PURCHASE PRICE**

**2.1. Purchase Price**. The purchase price to be paid by Purchaser to Seller for the Property is ONE MILLION SEVEN HUNDRED FIFTY THOUSAND AND 00/100 DOLLARS (\$1,750,000.00) ("*Purchase Price*").

## **ARTICLE 3 PAYMENT OF PURCHASE PRICE**

**3.1. Payment of Purchase Price**. Purchaser will pay the Purchase Price as follows:

(a) Within one (1) business day after this Contract is fully executed by Seller and Purchaser, Purchaser will deposit with Sage Title Company ("*Title Company*"), at 3000 Wesleyan, Houston, Texas 77027, Escrow Officer: Read Hammond, Email: Read@sagetitleco.com, Phone #: 832.500.7905, Fax # 832.500.7906, a fully executed original counterpart of this Contract. In addition, within three (3) business days after an original executed counterpart of this Contract is deposited with the Title Company, Purchaser will deposit with the Title Company TWENTY THOUSAND AND 00/100 DOLLARS (\$20,000.00) ("*Earnest Money Deposit*") to ensure prompt observance of this Contract by Purchaser.

(b) The balance of the Purchase Price, adjusted to reflect prorations and other adjustments as further described herein, will be paid to Seller on the Closing Date in cash or other readily available funds, simultaneously with the delivery of the Deed (as defined below) from Seller to Purchaser.

**3.2. Refundability**. After the Inspection Period (as defined below) expires, the Earnest Money Deposit will be nonrefundable to Purchaser, except that the Earnest Money Deposit, less the Independent Contract Consideration, will be promptly refunded to Purchaser and the parties will have no further obligations if this Contract is terminated under Section 8.2.

**ARTICLE 4  
TITLE STATUS**

**4.1. Title Commitment and Survey.**

(a) Seller authorizes Purchaser to obtain from the Title Company a Texas standard form Commitment for Title Insurance (Form T-7) ("**Commitment**"), together with legible copies of all instruments and documents referred to as exceptions to title to the Property ("**Exception Documents**"), in the amount of the Purchase Price, in favor of Purchaser, under which the Title Company agrees, subject to the Commitment, to issue to Purchaser at Closing a Texas standard form Owner's Policy of Title Insurance (Form T-1) insuring fee simple, indefeasible title to the Property in Purchaser ("**Owner Policy**"); and

(b) Purchaser, at Purchaser's cost and expense, will deliver or have delivered to Seller and the Title Company within ten (10) days after the Effective Date, an on-the-ground, ALTA/ACSM survey of the Property ("**Survey**"). At Closing Seller will pay for half of the Survey in the event this Contract closes.

**4.2. Review of Title Documents.** The review of the Commitment, the Exception Documents, and the Survey (collectively, "**Title Documents**") will be governed by the following terms:

(a) Purchaser Obligations. Purchaser will have three (3) days after Purchaser's receipt of the last of the Title Documents ("**Title Review Period**") to provide Seller written objections to the status of title to the Property. If written objections have not been received by Seller before the Title Review Period expires, Purchaser will be deemed to have conclusively accepted and approved the status of title to the Property as shown by the Title Documents, and all the matters shown in the Title Documents will be Permitted Exceptions (as defined in Section 4.3).

(b) Seller Response. If Purchaser does deliver written objections to Seller before the expiration of the Title Review Period, Seller will within ten (10) days of receiving the objections ("**Response Period**"), notify Purchaser of which objections Seller will cure before Closing ("**Cure Notice**"). Seller will have no obligation to cure any of Purchaser's title objections. If Seller does not agree or is unable to cure all of Purchaser's title objections before the expiration of the Response Period, Purchaser may either (1) waive the title objections in writing and purchase the Property despite the objections, in which event said objections will be deemed Permitted Exceptions, or (2) terminate this Contract by giving written notice to Seller within three (3) days after the expiration of the Response Period, in which event the Earnest Money Deposit, less the Independent Contract Consideration, will be returned to Purchaser on demand, and neither Seller nor Purchaser will have any further obligations under this Contract except for those that expressly survive its termination.

**4.3. Conveyance by Deed.** Seller will deliver to Purchaser at Closing a special warranty deed ("**Deed**") in recordable form and in the form and substance acceptable to Seller conveying to Purchaser fee simple title to the Real Property, subject to the exceptions to title contained in

the Title Documents approved or waived by Purchaser under Section 4.2 (“*Permitted Exceptions*”).

## ARTICLE 5 INSPECTION AND EXAMINATION

**5.1. Inspection Period.** Purchaser’s inspection and examination of the Property will be governed by the following terms:

(a) Time Period. Purchaser will have a period until March 31, 2025 (“*Inspection Period*”), during which time Purchaser, or its authorized agents or representatives, will be entitled to enter on the Property for the purpose of inspecting, examining, and conducting tests on the Property. Notwithstanding anything herein to the contrary, prior to entering upon the Property for purposes of performing any inspection thereof, Purchaser or its agents will provide Seller with written notice together with a detailed description of the inspections to be conducted at the Property at least forty-eight (48) hours prior to conducting such inspections.

(b) Termination. If Purchaser, in its sole discretion, is dissatisfied with the results of the inspection of the Property, regardless of whether any tests or inspections were actually made by Purchaser, Purchaser may, by written notice delivered to Seller before the expiration of the Inspection Period, terminate this Contract, in which event the Earnest Money Deposit, less the Independent Contract Consideration, will be returned to Purchaser on demand, and neither Seller nor Purchaser will have any further obligations under this Contract except for those that expressly survive its termination. If Purchaser does not terminate this Contract by delivery of written notice to Seller before the expiration of the Inspection Period, Purchaser will no longer have a right of termination under this Section but will have a continuing right to enter on the Property.

(c) Indemnification. Except for the mere discovery of existing defects or conditions affecting the Property, Purchaser will release, indemnify, and hold Seller harmless from and against any liabilities, claims, demands, or actions incident to, resulting from, or in any way arising from any such test, report, inspection, or analysis or any entry by or on behalf of Purchaser onto the Property. The terms of this Section will expressly survive the termination or Closing of this Contract.

(d) Insurance. Purchaser agrees that, in making any permitted physical or environmental inspections of the Property, Purchaser or Purchaser’s agents will carry at least ONE MILLION AND 00/100 DOLLARS (\$1,000,000.00) commercial general liability insurance with contractual liability endorsement that insures the above indemnity obligations, contains a waiver of subrogation. Purchaser will, on Seller’s written request, provide Seller with written evidence of Purchaser’s commercial general liability insurance.

**5.2. Environmental Survey.** The inspection and examination of the Property relative to the environmental condition of the Property will be governed by the following terms:

(a) Examination Authority. Purchaser, at its expense, may conduct a Phase I of the Property (“*Environmental Survey*”), which must be completed before the Inspection Period expires. If an Environmental Survey is conducted, Purchaser will deliver to Seller a written report stating the findings obtained in the Environmental Survey. Notwithstanding anything herein to the contrary, Purchaser will not conduct a Phase II or any other invasive testing of the Property without obtaining Seller’s prior written consent, which consent may be withheld in Seller’s sole discretion.

(b) Remediation/Termination. If, as a result of the Environmental Survey, or by any other means, Purchaser or Seller becomes aware of the existence of toxic or hazardous wastes (including asbestos) or other environmental contamination on or within the Property, Purchaser will have the right to immediately terminate this Contract before the expiration of the Inspection Period. If Purchaser terminates this Contract under this Section, the Earnest Money Deposit, less the Independent Contract Consideration, will be returned to Purchaser and the parties will have no further obligations under this Contract except for those that expressly survive its termination.

**5.3. Service Contracts.** Prior to the expiration of the Inspection Period, Purchaser may deliver written notice to Seller (“*Service Contracts Notice*”) specifying any Service Contracts for which Purchaser wants to have Seller deliver notices of termination on or before Closing (each a “*Terminated Contract*,” and collectively, “*Terminated Contracts*”), provided that (a) the effective date of the termination at Closing will be subject to the express terms of the Terminated Contracts, (b) if any Service Contract cannot by its terms be terminated, it will be assumed by Purchaser and not be a Terminated Contract, and (c) to the extent that any Terminated Contract or any Service Contract assigned to Purchaser requires payment of a fee or penalty for cancellation or assignment, Purchaser will be solely responsible for the payment of any cancellation fees or penalties. If Purchaser fails to deliver the Service Contracts Notice before the Inspection Period expires, there will be no Terminated Contracts and Purchaser will assume all Service Contracts at Closing.

**5.4 Document Inspection.** To facilitate Purchaser’s inspection of the Property, Seller will provide to Purchaser, within ten (10) days after the Effective Date, if readily available and in actual possession of Seller, all documents related to the Property.

## **ARTICLE 6 CLOSING**

**6.1. Closing Date.** The consummation of the transactions contemplated by this Contract (“*Closing*”) will take place in the offices of the Title Company, on or before the date that is thirty (30) days after the date on which the Inspection Period expires (“*Closing Date*”). Notwithstanding anything herein to the contrary, in the event Purchaser is unable to obtain financing for the purchase of the Property on or prior to the Closing Date, Purchaser may extend the Closing Date one (1) time for a period of thirty (30) days by notifying Seller and the Title Company in writing on or before that date which is three (3) days prior to the Closing Date and depositing with the Title Company an additional non-refundable FIVE THOUSAND AND 00/100 DOLLARS (\$5,000.00) (“*Extension Fee*”) on or before that date which is three

(3) days prior to the Closing Date. The Extension Fee shall be non-refundable but applicable towards the Purchase Price at Closing.

**6.2. Closing Costs.** At Closing, **Seller will pay** (a) the base premium for the Owner Policy (b) the cost of satisfying any liens not deemed Permitted Exceptions, (c) Seller's legal fees, and (d) the cost of any tax certificates, municipal and utility lien certificates, and any other Title Company charges, and (e) all other items normally paid by Seller's in real estate transactions. **Purchaser will pay** (a) any costs related to the issuance of the Commitment and any inspection fees charged by the Title Company in connection with the issuance of the Owner Policy, (b) the cost of Purchaser's due-diligence inspection, (c) the cost to modify the areas-and-boundaries exception in the Owner Policy to read "shortages in area" only (if requested by Purchaser), (d) the cost for any extended coverages or endorsements to the Owner Policy required by Purchaser and any lender of Purchaser, (e) the premium for the Lender Policy of Title Insurance, (f) Purchaser's legal fees, (g) any escrow or closing fee charged by the Title Company, and (h) all other items normally paid by Purchaser's in real estate transactions.

**6.3. Prorations.** Title to the Property on the day of Closing will belong to Purchaser, and all prorations to be made as of Closing will be made as of 12:01 a.m., Central Time, on the Closing Date. For each proration below, the portion applicable to periods beginning as of Closing will be credited or charged to Purchaser and the portion applicable to periods ending as of Closing will be credited or charged to Seller.

(a) Taxes and Assessments. General real estate taxes and assessments imposed by governmental authority and any assessments imposed by private covenant constituting a lien or charge on the Property for the current calendar year or other current tax period (collectively, "**Taxes**") not yet due and payable will be payable by proration. If Closing occurs before Seller receives the tax bill for the calendar year or other applicable tax period in which Closing occurs, Purchaser and Seller will prorate Taxes for that calendar year or other applicable tax period based on the most recent ascertainable assessed values and tax rates, and any rollback taxes assessed after the Closing Date due to Purchaser's change of use of the Land will be paid solely by Purchaser. Any other assessments after the Closing Date will be paid solely by Purchaser, and as soon after the Closing as the exact amount of the ad valorem taxes are known, the proration will be adjusted, if necessary, and appropriate cash adjustments will be made by Purchaser and Seller, if necessary.

(b) Utility Bills and Deposits. Water, electric, telephone, and other utility and fuel charges will be prorated on the basis of the last ascertainable bills (and prorated again on receipt of the actual bills or invoices) unless final meter readings and final invoices can be obtained before Closing. If possible, Seller will have utility meters read no more than one (1) day before the Closing Date. Purchaser will be responsible for making any deposits required with utility companies.

(c) Collected Rent. All collected rent and other collected income (and any applicable state or local tax on rent) under the Leases in effect on the Closing Date will be prorated. Seller will be charged with any rent and other income collected by Seller before Closing but applicable

to any period of time after Closing. Uncollected rent and other income will not be prorated at Closing. Purchaser will apply rent and other income from tenants that are collected after Closing first to the obligations then due to Purchaser for its period of ownership and to reasonable costs of collection, remitting any balance to Seller. Any prepaid rents for the period following the Closing Date will be paid over by Seller to Purchaser. Purchaser will make reasonable efforts, without suit, to collect any rents applicable to the period before Closing.

(d) Operating Costs. If Seller, as landlord under the Leases, is currently collecting from tenants additional rent to cover Taxes, insurance, utilities, common-area maintenance, and other operating costs and expenses (collectively, “*Operating Costs*”) incurred by Seller in connection with the ownership, operation, maintenance, and management of the Property, at Closing, Purchaser will receive a credit equal to the amount by which payments made by tenants for Operating Costs exceed the amount actually and properly paid by Seller during the same period for Operating Costs. Operating Costs that are not paid by tenants directly or reimbursed under the Leases will be prorated at Closing.

(e) Leasing Costs. Purchaser agrees to pay or discharge at or before Closing all leasing commissions, costs for tenant improvements, legal fees, and other costs and expenses (collectively, “*Leasing Costs*”) that are, as of the Closing Date, due for Leases in force on the Effective Date. Purchaser will assume the obligation to pay, all leasing commissions payable under the Leases for any option to renew or option to expand that has not been exercised before the Effective Date. As of Closing, Purchaser will assume Seller’s obligations for Leasing Costs (1) that are, as of the Closing Date, not yet due for Leases in force on the Effective Date, and (2) that are incurred for Leases and Lease renewals and extensions executed after the Effective Date. If, as of the Closing Date, Seller has paid any Leasing Costs for which Purchaser is responsible under this Section, Seller will be credited with an amount equal to those Leasing Costs.

(f) Fees and Charges Under Service Contracts. Fees and charges under the Service Contracts assumed by Purchaser at Closing will be prorated, except as otherwise provided in Section 5.4.

(g) Deposits. The amount of security deposits paid under the Leases and not applied by Seller will be credited to Purchaser against the Purchase Price on the Closing Date. Purchaser will assume at Closing the obligation to return security deposits to tenants under the Leases, to the extent that the security deposits are credited to Purchaser at Closing. Seller will not apply any security deposits to past-due rents or any other tenant default after the Effective Date of this Contract.

(h) Final Adjustment After Closing. If final prorations cannot be made at Closing for any item being prorated under this Section, including Taxes, then Purchaser and Seller agree to allocate those items on a fair and equitable basis as soon as invoices or bills are available, with final adjustment to be made as soon as reasonably possible after Closing, to the effect that income and expenses are received and paid by the parties on an accrual basis for their period of ownership. Payments for the final adjustment will be due within thirty (30) days after receiving

written notice. Seller, at its expense, and on three (3) business days' written notice to Purchaser, will have reasonable access to, and the right to inspect and audit, Purchaser's books to confirm the final prorations.

(i) Survival. The terms and provisions of this Section will survive the Closing.

**6.4. Seller's Obligations at Closing.** At Closing, Seller will deliver, or have delivered in accordance with local custom and practice, to the Title Company the documents in (a)-(g) below, each of which will be duly executed and, if appropriate, acknowledged, together with any other necessary or appropriate items or instruments:

(a) Deed. The Deed.

(b) Bill of Sale. A bill of sale in the form and substance acceptable to Seller conveying all of Seller's right, title, and interest in the Personal Property to Purchaser free and clear of all restrictions, conditions, easements, liens, and other encumbrances, except the Permitted Exceptions.

(c) Assignment and Assumption of Leases. An assignment and assumption of leases in the form and substance to Seller assigning to Purchaser all of Seller's interest in the Leases and the security deposits, which will provide for Purchaser to assume all of the obligations under the Leases that may arise after the Closing Date.

(d) Assignment and Assumption of Service Contracts. An assignment and assumption of service contracts in the form and substance acceptable to Seller assigning to Purchaser all of Seller's interest in the Service Contracts being assumed by Purchaser and the Licenses and Permits, which will provide for the Purchaser to assume all of the obligations under those Service Contracts and the Licenses and Permits after the Closing Date.

(e) Nonforeign Affidavit. An affidavit required under Internal Revenue Code section 1445 stating, under penalty of perjury, that neither Seller nor any other party so swearing is a foreign person within the meaning of Section 1445.

(f) Evidence of Authority. Any documents reasonably requested by the Title Company or required by this Contract to confirm that this transaction and the parties executing the documents are fully authorized and empowered to act.

**6.5. Purchaser's Obligations at Closing.** At Closing, Purchaser will deliver, or have delivered in accordance with local custom and practice, to the Title Company the following:

(a) Cash Funds. The cash funds for the Purchase Price less the Earnest Money Deposit (as defined in Sections 2.1 and 3.1).

(b) Closing Documents. Counterparts of the documents referred to in Sections 6.4 (b)-(d) above, each of which will be duly executed by Purchaser and, if appropriate, acknowledged, together with any other necessary or appropriate items or instruments.

(e) Evidence of Authority. Any documents reasonably requested by the Title Company or required by this Contract to confirm that this transaction and the parties executing the documents are fully authorized and empowered to act.

**6.6. Delivery of Possession.** Possession of the Property will be delivered to Purchaser at Closing, after completion of funding, subject only to the Permitted Exceptions.

**6.7. Closing Contingencies.** This Contract is contingent on the closing of the Asset Purchase Agreement (“*APA*”) between Purchaser and 190HWY, Inc., a Texas corporation DBA Sandy Creek Resort and Campground. In the event Purchaser does not close on the *APA*, Purchaser shall be in default.

## **ARTICLE 7 REPRESENTATIONS, WARRANTIES, AND COVENANTS**

**7.1. Seller’s Representations, Warranties, and Covenants.** Seller represents, warrants, and covenants to Purchaser the following:

(a) Authority. Seller has been duly organized and is in good standing under the laws of the state of its organization. Seller has the legal right and authority to enter into this Contract and to transfer all of the Property under this Contract. The person signing this Contract on Seller's behalf is authorized to do so.

(b) Terrorist Organizations Lists. Neither Seller nor, to Seller's actual knowledge, any of its respective partners, members, shareholders, owners, employees, officers, directors, representatives, or agents is or will become a person or entity with whom U.S. persons or entities are restricted from doing business under regulations of the Office of Foreign Assets Control of the Department of the Treasury (including those named on the OFAC’s Specially Designated Nationals and Blocked Persons List) or under any statute, executive order (including Executive Order 13224, Blocking Property and Prohibiting Transactions with Persons Who Commit, Threaten to Commit, or Support Terrorism, effective September 24, 2001), or other governmental action.

Notwithstanding anything herein to the contrary, this Section 7.1 will not survive the Closing or termination of this Contract.

**7.2. Purchaser’s Representations, Warranties, and Covenants.** Purchaser represents, warrants, and covenants to Seller the following:

(a) Authority. Purchaser has been duly organized and is in good standing under the laws of the state of its organization. Purchaser has the legal right and authority to enter into this Contract and to make the transactions under this Contract. The execution, delivery, and performance of this Contract have been duly authorized, and no other action by Purchaser is required for the valid and binding execution, delivery, and performance of this Contract, except as otherwise expressly provided. There is no agreement to which Purchaser is a party or, to Purchaser’s knowledge, binding on Purchaser that is in conflict with this Contract.

(b) Terrorist Organizations Lists. Neither Purchaser nor, to Purchaser's actual knowledge, any of its respective partners, members, shareholders, owners, employees, officers, directors, representatives, or agents is or will become a person or entity with whom U.S. persons or entities are restricted from doing business under regulations of the Office of Foreign Assets Control of the Department of the Treasury (including those named on the OFAC's Specially Designated Nationals and Blocked Persons List) or under any statute, executive order (including Executive Order 13224, Blocking Property and Prohibiting Transactions with Persons Who Commit, Threaten to Commit, or Support Terrorism, effective September 24, 2001), or other governmental action.

**7.3. As Is**. NOTWITHSTANDING ANYTHING TO THE CONTRARY CONTAINED IN THIS CONTRACT, EXCEPT AS EXPRESSLY SET FORTH THEREIN AND THE WARRANTY OF TITLE CONTAINED IN THE DEED (COLLECTIVELY, THE "**EXPRESS REPRESENTATIONS**"), IT IS EXPRESSLY UNDERSTOOD AND AGREED THAT NEITHER SELLER NOR SELLER'S AFFILIATES, MEMBERS, MANAGERS, PARTNERS, CONTRACTORS, AGENTS, AND THEIR RESPECTIVE OFFICERS, EMPLOYEES, AND REPRESENTATIVES (COLLECTIVELY, THE "**SELLER RELATED PARTIES**") HAVE AT ANY TIME MADE AND ARE NOT NOW MAKING AND SPECIFICALLY DISCLAIM, ANY WARRANTIES, REPRESENTATIONS, OR GUARANTIES OF ANY KIND OR CHARACTER, ORAL OR WRITTEN, PAST, PRESENT, OR FUTURE, EXPRESS OR IMPLIED, OF, AS, WITH RESPECT TO, OR CONCERNING ALL, ANY PORTION OF, WITHIN THE VICINITY OF, OR ON OR UNDER THE PROPERTY, THE NATURE OF THE PROPERTY, OR THE OWNERHSIP OR OPERATION THEREOF.

EXCEPT FOR THE EXPRESS REPRESENTATIONS, PURCHASER IS PURCHASING THE PROPERTY AS-IS, WHERE IS, AND WITH ALL FAULTS AND PURCHASER RELEASES SELLER AND SELLER RELATED PARTIES FROM ANY COST, LOSS, LIABILITY, DAMAGE, EXPENSE, DEMAND, ACTION, OR CAUSE OF ACTION ARISING FROM OR RELATED TO THE PROPERTY. THIS RELEASE WILL BE GIVEN FULL FORCE AND EFFECT ACCORDING TO EACH OF ITS EXPRESS TERMS AND PROVISIONS, INCLUDING, WITHOUT LIMITATION, THOSE RELATING TO UNKNOWN CLAIMS, DAMAGES, AND CAUSES OF ACTION. THIS COVENANT RELEASING SELLER AND ALL SELLER RELATED PARTIES IS A COVENANT RUNNING WITH THE PROPERTY AND IS BINDING UPON PURCHASER, ITS SUCCESSORS AND ASSIGNS.

PURCHASER REPRESENTS AND WARRANTS TO SELLER THAT PURCHASER IS RELYING SOLELY ON PURCHASER'S INDEPENDENT ANALYSIS AND INVESTIGATION OF THE PROPERTY AND PURCHASER ASSUMES THE RISK THAT AN ADVERSE CONDITION OF THE PROPERTY MAY NOT HAVE BEEN REVEALED BY ITS OWN DUE DILIGENCE. ANY INFORMATION, DOCUMENTS, OR REPORTS SUPPLIED OR MADE AVAILABLE BY SELLER, WHETHER WRITTEN OR ORAL, OR IN THE FORM OF MAPS, SURVEYS, PLATS, SOIL REPORTS, ENGINEERING STUDIES,

ENVIRONMENTAL STUDIES, OPERATION STATEMENTS, RENT ROLLS, OR OTHER INSPECTION REPORTS PERTAINING TO THE PROPERTY (COLLECTIVELY, "**SELLER INFORMATION**") ARE BEING DELIVERED TO PURCHASER ON AN AS-IS, WHERE IS, AND WITH ALL FAULTS BASIS AND SOLELY AS A COURTESY. SELLER MAKES NO REPRESENTATION OR WARRANTY, EXPRESS OR IMPLIED, AS TO THE ACCURACY, COMPLETENESS, OR ANY OTHER ASPECT OF THE SELLER INFORMATION.

THE PROVISIONS OF THIS PARAGRAPH WILL SURVIVE THE CLOSING OR ANY EXPIRATION OR TERMINATION OF THE CONTRACT AND MAY BE ADDED TO THE DEED BY SELLER.”

## **ARTICLE 8 DEFAULT**

**8.1. Purchaser’s Default.** If Purchaser fails to purchase the Property in accordance with the terms and conditions of this Contract, or otherwise defaults in the performance of its obligations under this Contract, for any reason other than Seller’s default, Seller may, as its remedies and at its option, (a) continue with the closing of the transaction despite the default under the remaining terms and provisions of this Contract, in which event the default will be deemed waived, (b) terminate this Contract, in which event Seller will retain the Earnest Money Deposit as liquidated damages (because actual damages would be difficult to determine, vague, and speculative in nature), and neither Seller nor Purchaser will have any further obligations under this Contract except for those that expressly survive the termination of this Contract, and/or (c) pursue other remedies available at law or equity.

**8.2. Seller’s Default.** If Seller defaults in the performance of its obligations under this Contract, for any reason other than Purchaser’s default or as otherwise permitted, Purchaser may, as its only remedies and at its option, (a) purchase the Property despite the default under the remaining terms and provisions of this Contract, in which event the default will be deemed waived (and Purchaser will be deemed to have expressly waived all remedies for breach of any representation or warranty of Seller known to Purchaser at the time of Closing), or (b) terminate this Contract, in which event Purchaser will be entitled to return of the Earnest Money Deposit, less the Independent Contract Consideration, and neither Seller nor Purchaser will have any further obligation except for those that expressly survive the termination of this Contract.

## **ARTICLE 9 CASUALTY LOSS**

**9.1. Risk of Loss.** Risk of loss due to casualty up to and including the Closing Date will be borne by Seller (as between Seller and Purchaser), except to the extent of any loss or damage caused solely by the acts of Purchaser or its agents, employees, contractors, or invitees. The provisions of this Section will govern despite any contrary provisions of Texas Property Code section 5.007.

**9.2. Condemnation.** By written notice to Purchaser given within ten (10) days after Seller receives written notice of proceedings in eminent domain affecting the Property that are contemplated, threatened, or instituted by anybody having the power of eminent domain, Purchaser may (a) terminate this Contract and the Earnest Money Deposit, less the Independent Contract Consideration, will be immediately returned to Purchaser without the necessity of obtaining any consent or release by Seller, or (b) proceed under this Contract, in which event Seller will, at Closing, assign to Purchaser its entire right, title, and interest in and to any condemnation award. The provisions of this Section will govern despite any contrary provisions of Texas Property Code section 5.007.

## **ARTICLE 10 BROKER FEES AND COMMISSIONS**

**10.1. Brokerage Fees.** Seller and Purchaser hereby acknowledge, represent and warrant to each other that, REALM Real Estate Professionals - Sugar Land, License #526923 and Nizar Noore, License #0771112 represent the Seller and will be paid a commission equal to three (3%) of the Purchase Price and APA sales price by Seller at Closing and UNIVERSAL HOME SOLUTIONS LLC DBA JLA Atascocita, 18700 W Lake Houston Pkwy b103, Humble, TX 77346, Real Estate LLC, License #9000562 and Juan Cuevas, License #599268 represent Purchaser and will be paid a commission equal to three (3%) of the Purchase Price and APA sales price by Seller at Closing. No other broker or finder has been employed by either Seller or Purchaser in connection with the sale and purchase transaction contemplated in this Contract and that no commission, finder's fee or similar remuneration, by whatever name, is payable by Seller or Purchaser or due to any other broker or finder in connection with this Contract or the sale and purchase transaction contemplated herein. Seller and Purchaser each, respectively, hereby agree to indemnify, defend, save and hold the other harmless from and against the payment of any commissions or fees or claims for commissions or fees as a result of any actions taken or agreements, respectively, made by them with respect to the sale and purchase transaction contemplated in this Contract. Seller will be responsible for (and will pay at or prior to Closing) all leasing commissions incurred as of the Closing Date with respect to the Property. The provisions of this Article will expressly survive any closing or closings hereunder or the termination of this Contract for any reason.

## **ARTICLE 11 NOTICE**

**11.1. Notice Designation.** All notices required or permitted under this Contract must be in writing and be served on the parties at the addresses listed below. Unless otherwise provided, all notices must be given or served (a) by overnight delivery using a nationally recognized overnight courier, (b) by personal delivery, (c) by fax transmission during normal business hours with a confirmation copy delivered by another method permitted under this Section other than e-mail, or (d) by e-mail sent to the e-mail address listed below with a confirmation copy delivered by another method permitted under this Section other than fax transmission. Notice given by all permitted forms other than fax transmission or e-mail will be effective on the earlier of actual delivery to the address of the addressee or refusal of receipt by the addressee

(even if the addressee refuses delivery). Notice given by fax transmission or e-mail will be effective on the transmission or attempted transmission of a fax to the phone number designated as the recipient's fax number during normal business hours or an e-mail to the e-mail address designated as the recipient's e-mail address during normal business hours. A party's address, fax number, or e-mail address may be changed by written notice to the other party, but a notice of change is not effective until actual receipt of the notice. Copies of notices are for informational purposes only, and a failure to give or receive copies of any notice will not be deemed a failure to give notice. Notices given by a party's attorney will be deemed given by that party. The notice addresses of the parties are specified below until further notice:

**Seller:**

Ronnie W. Orsak  
\_\_\_\_\_  
\_\_\_\_\_

Phone: \_\_\_\_\_

Email : \_\_\_\_\_

Barabara Johnson Orsak  
\_\_\_\_\_  
\_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

LaNell M Orsak

222 Sonny's Lane

Livingston, TX 77351

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

**Purchaser:**

Uncontained Living

2600 South Shore Blvd Ste 300

League City, TX 77573  
\_\_\_\_\_

Phone: 281-732-2428

Email: juan@uncontainedliving.net

**With copy to Seller's Attorney:**

Vellani Law

Attn: Faisal R. Vellani

14090 Southwest Freeway, Suite #150

Sugar Land, Texas 77478

Fax: 832.500.7906

Email: FRVellani@VellaniLaw.com

**ARTICLE 12  
MISCELLANEOUS**

**12.1. Binding Agreement.** This Contract and all of its terms, provisions, and covenants will apply to, be binding on, and inure to the benefit of the parties and their respective successors and assigns.

**12.2. Headings.** The headings used in this Contract are for convenience only and are not intended in any way to limit or expand the terms and provisions of this Contract.

**12.3. Time of Essence.** Time is of the essence in this Contract.

**12.4. Governing Law.** This Contract will be governed by and interpreted under the laws of the State of Texas, regardless of any conflict-of-law rules. This Contract will be specifically performable in Polk County, Texas.

**12.5. Entire Agreement.** This Contract contains the entire agreement of the parties. All understandings, discussions, and agreements previously made between the parties, written or oral, are superseded by this Contract, and neither party is relying on any warranty, statement, or representation not contained in this Contract.

**12.6. Amendment.** This Contract may not be altered, changed, or amended except by a written agreement signed by all parties.

**12.7. Counterparts.** This Contract may be executed in two or more counterparts, each of which will be deemed an original and all of which together will constitute one agreement.

**12.8. Broker Disclosure.** Purchaser acknowledges that, at the time of the execution of this Contract, Broker advised Purchaser by this writing that Purchaser should have the abstract covering the Property examined by an attorney of Purchaser's own selection or that Purchaser should be furnished with or obtain a policy of title insurance.

**12.9. Date Computation.** If any significant date falls on a Saturday, Sunday, or federal or state holiday, the date will be deemed moved to the next business day that is not a Saturday, Sunday, or federal or state holiday. The term "*business day*" means a day that is not a Saturday, Sunday, or federal or state holiday.

**12.10. Contract Consideration.** Notwithstanding anything herein to the contrary, the amount of TEN THOUSAND AND NO/100 DOLLARS (\$10,000.00) ("*Independent Contract Consideration*") of the Earnest Money Deposit will be independent contract consideration for Purchaser's right to terminate this Contract during the Inspection Period, will be non-refundable, and will be distributed to Seller upon any termination of this Contract as full payment and independent consideration for Seller's performance under this Contract. If this Contract is properly terminated by Purchaser prior to the expiration of the Inspection Period, the Earnest Money Deposit less the Independent Contract Consideration will be promptly returned to Purchaser and without the Title Company needing any authorization from Seller to return and release the Earnest Money Deposit to Purchaser and the parties will have no further rights or obligations under this Contract except for any that expressly survive the termination of this Contract.

**12.11. Confidentiality.** Before Closing, Purchaser will not disclose the content or substance of the terms, conditions, and provisions of this Contract to any person or entity without the other party's written consent. The confidentiality provisions of this Section will not apply to

any matters of public record or matters generally known to the public, or any disclosures made by Purchaser or Seller as required by law, ordinance, subpoena, court order, or regulation. Purchaser will give Seller written notice before making any disclosure under a subpoena or court order.

**12.12. Assignment.** Purchaser will not assign, transfer, or convey its rights or obligations under this Contract or with respect to the Property without Seller's written consent.

**12.13. Effective Date.** This Contract (or a counterpart) must be executed by Seller and a fully executed copy (or executed counterparts) deposited with the Title Company no later than November 22, 2024, or this Contract will become null and void. The date that the Title Company acknowledges receipt of the fully executed copy will be the Effective Date of this Contract (the "*Effective Date*").

**12.14. Construction.** This Contract is the result of negotiations between the parties, neither of whom has acted under any duress or compulsion, whether legal, economic, or otherwise. Accordingly, the terms and provisions of this Contract will be construed in accordance with their usual and customary meanings. Seller and Purchaser waive the application of any rule of law that would otherwise apply in the construction of this Contract that ambiguous or conflicting terms or provisions should be construed against the party who (or whose attorney) prepared the executed Contract or any earlier draft of it.

**12.15. Exchange.** Either Purchaser or Seller may elect to participate in a tax-deferred exchange under the Internal Revenue Code. If a party elects to participate, the other party will reasonably cooperate with the election; however, the cooperating party will have no obligation to incur any cost or liability or to take title to any real property (other than Purchaser's acquisition of the Property under this Contract), and the Closing will not be conditioned on or unreasonably delayed by any exchange. A party electing to participate will provide all documents requested from the other party at least three (3) days before the Closing and will indemnify and hold the cooperating party harmless from any claims, liabilities, or damages arising from the cooperation, and the indemnity obligation will expressly survive the termination or Closing of this Contract.

**12.16. Attorney Fees.** If it becomes necessary for either Seller or Purchaser to employ legal counsel or to bring an action at law or other proceeding to enforce any of the terms, covenants, or conditions of this Contract, the prevailing party in any action or proceeding will be entitled to recover its costs and expenses incurred, including its reasonable attorney fees, from the other party. The term "*prevailing party*" means the party that has succeeded on a significant issue in the litigation and achieved a benefit with respect to the claims at issue, taken as a whole, whether or not damages are actually awarded to that party.

**12.17. Survival Clause.** The provisions of Section 6.3, Section 7.2, and Article 10 of this Contract will survive the Closing for a period of one (1) year and remain in full force and effect between the parties for that period.

**12.18 Indemnification. PURCHASER HEREBY INDEMNIFIES AND SHALL HOLD HARMLESS SELLER AND SELLER'S PARTNERS, OFFICERS, MEMBERS, MANAGERS, AGENTS AND REPRESENTATIVES, FROM AND AGAINST ANY AND ALL (A) CLAIMS, ACTIONS, OR CAUSES OF ACTION, LOSSES, DAMAGES AND ATTORNEY'S FEES WHICH ARISE FROM PURCHASER'S BREACH OF ANY OF ITS COVENANTS, REPRESENTATIONS, OR WARRANTIES AS SET FORTH IN THIS CONTRACT; (B) LIABILITY, OBLIGATION OR COMMITMENT OF ANY NATURE RELATING TO THE PROPERTY BASED ON EVENTS OCCURRING ON OR AFTER CLOSING; (C) CLAIMS ARISING UNDER ANY ASSUMED AGREEMENTS ON OR AFTER CLOSING; (D) CONDUCT OF THE PURCHASER ON OR AFTER CLOSING, REGARDLESS OF WHETHER SUCH ACTIVITIES ARE PERFORMED IN SELLER'S NAME OR IN PURCHASER'S NAME; AND (E) ANY ADVERSARIAL ENVIRONMENTAL ISSUES RELATED TO THE PROPERTY THAT ARISE AFTER CLOSING. THIS SECTION SHALL SURVIVE AFTER THE CLOSING.**

**12.19 Storage Units.** Notwithstanding anything herein to the contrary, as additional consideration for the purchase and sale of the Property, beginning on the Closing Date, Purchaser will provide Seller with three (3) months of free rental for storage unit numbers 00, 1, 2, 4, 10, 14, 15, 23, 24, 28, 30, and 32 as located on the Property. This Section 12.19 shall survive the Closing of this Contract.

**12.20 Retained Easement.** Notwithstanding anything herein to the contrary, at Closing, Purchaser will grant and convey to Seller an easement over and across the property for Seller's exclusive use and enjoyment, to be further defined in the Survey and as generally depicted on the hereto attached **Exhibit B.** in form and substance approved by Seller.

*[Signatures on following page.]*

EXECUTED as of \_\_\_\_\_, 2024.

**SELLER:**

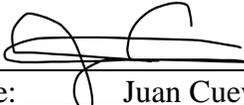
\_\_\_\_\_  
Ronnie W. Orsak

\_\_\_\_\_  
Barabara Johnson Orsak

\_\_\_\_\_  
LaNell M Orsak

**PURCHASER:**

Uncontained Living

By:   
Name:           Juan Cuevas            
Title:           Founder & CEO

**ACCEPTANCE BY TITLE COMPANY**

The undersigned title company, Independence Title, referred to in this Contract as the Title Company, acknowledges receipt of a fully executed copy (or executed counterparts) of the Contract, and accepts the obligations of the Title Company as stated in the Contract.

**TITLE COMPANY:**

Sage Title

By: \_\_\_\_\_

Name: \_\_\_\_\_

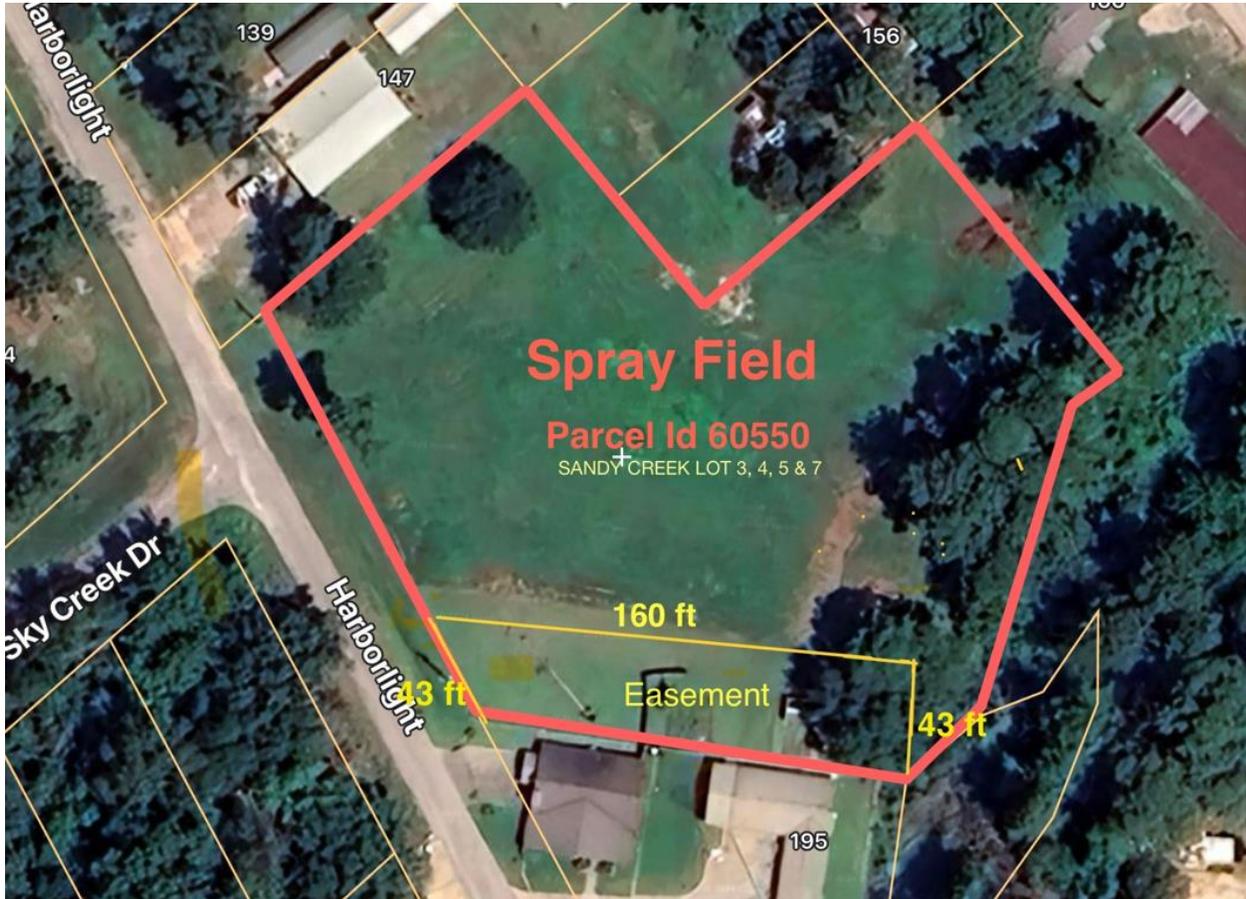
Title: \_\_\_\_\_

Date: \_\_\_\_\_

## EXHIBIT A

Property details exhibit A						
Sandy Creek Resort-Campground						
11941 U.S. Hwy 190, Livingston, TX 77351						
Parcel ID	Acreage	sqft	Description	situs address	legal description	
56733	0.2772	12,075.00	SANDY CREEK LOT 13	165 CAPTAINS LN LIVINGSTON, TX 77351	SANDY CREEK LOT 13	<a href="https://esearch.polkcad.org/Property/View/56733">https://esearch.polkcad.org/Property/View/56733</a>
81463	0.1148	5,000.00	SANDY CREEK INTERIOR	SWIGGERS HILL LIVINGSTON, TX 77351	SANDY CREEK LOT 14	<a href="https://esearch.polkcad.org/Property/View/81463">https://esearch.polkcad.org/Property/View/81463</a>
44379	0.1148	5,000.00	SANDY CREEK INTERIOR	SWIGGERS HILL LIVINGSTON, TX 77351	SANDY CREEK LOT 15	<a href="https://esearch.polkcad.org/Property/View/44379">https://esearch.polkcad.org/Property/View/44379</a>
81464	0.1148	5,000.00	SANDY CREEK INTERIOR	150 SWIGGERS HILL LIVINGSTON, TX 77351	SANDY CREEK LOT 16	<a href="https://esearch.polkcad.org/Property/View/81464">https://esearch.polkcad.org/Property/View/81464</a>
81465	0.1148	5,000.00	SANDY CREEK INTERIOR	150 SWIGGERS HILL LIVINGSTON, TX 77351	SANDY CREEK LOT 17	<a href="https://esearch.polkcad.org/Property/View/81465">https://esearch.polkcad.org/Property/View/81465</a>
56730	0.1148	5,000.00	BARN POLE & TIN ENCLOSED	156 SWIGGERS HILL LIVINGSTON, TX 77351	SANDY CREEK LOT 6	<a href="https://esearch.polkcad.org/Property/View/56730">https://esearch.polkcad.org/Property/View/56730</a>
60550	1.4375	48,723.00	SANDY CREEK INTERIOR	HARBORLIGHT DR	SANDY CREEK LOT 3,4,5 & 7	<a href="https://esearch.polkcad.org/Property/View/60550">https://esearch.polkcad.org/Property/View/60550</a>
10561	0.91	39,639.60	BROWN - GREEN HOUSE	11975 US HIGHWAY 190 W LIVINGSTON, TX 77351	ABST 7 JNO BURGESS SURVEY TRACT 67	<a href="https://esearch.polkcad.org/Property/View/10561">https://esearch.polkcad.org/Property/View/10561</a>
10531	6.689	291,764.88	ABSTRACT 7 WATERFRONT	11941 US HIGHWAY 190 W LIVINGSTON, TX 77351	ABST 7 JNO BURGESS SURVEY TRACT 24-A	<a href="https://esearch.polkcad.org/Property/View/10531">https://esearch.polkcad.org/Property/View/10531</a>
226325				SWIGGERS HILL ONALASKA, TX 77380	SANDY CREEK LOT 15 SERIAL# N/A HUD# N/A IMP ONLY	
10352				SANDY CREEK CAMPGROUND LIVINGSTON, TX 77351	ABST 7 JNO BURGESS SURVEY TRACT 24-A SERIAL #1	CX12291 LABEL #1 TEX0231315 IMP ONLY
93284				11941 HWY 190 W TX	(PP)WATER SYSTEM 1 WELL & 74 CONNECTIONS	
<b>TOTAL</b>	<b>9.8967</b>	<b>417,202.48</b>				

**EXHIBIT B**



# **APPENDIX IV**

## **REGULATORY INFORMATION**



**AAI Environmental Data**

5524 Cornish Street Houston, TX 77007

## Regulatory Database Search

**Job Number:** 202501055

**Report Date:** January 8, 2025

**Property:**

202501055

Livingston, TX 77351

**Prepared For:**

Phase Engineering, LLC

5524 Cornish St.

Houston, TX 77007

Notice of Disclaimer - All materials and services are provided on an "as is" and "as available" basis without warranty of any kind, either expressed or implied, including, but not limited to, the implied warranties of merchant ability or fitness for a particular purpose, or the warranty of non-infringement. Due to the limitations, constraints, inaccuracies and incompleteness of government information and computer mapping data currently available to AAI Environmental Data, certain conventions have been utilized in preparing the locations of all federal, state and local agency sites residing in AAI Environmental Data's databases. All Sites are depicted by a point representing their approximate location and make no attempt to represent the actual areas of the associated property. Actual boundaries and locations of individual properties can be

Waiver of Liability - Although AAI Environmental Data uses its best efforts to research the actual location of each site, AAI Environmental Data does not and cannot warrant the accuracy of these sites with regard to exact location and size. All authorized users of AAI Environmental Data's services are signifying an understanding of AAI Environmental Data's searching and mapping conventions and agree to waive any and all liability claims associated with search and map results showing incomplete and/or inaccurate site locations. Your exclusive remedy and AAI Environmental Data's entire liability, if any, for any claims, other than those waived above arising out of these terms of use and your use of this information shall be limited to the amount paid for the database report giving rise to the liability. In no event shall AAI Environmental Data or its affiliates be liable to you or any third party for any special, punitive, incidental, indirect or consequential damages of any kind, or any damages whatsoever, including, without limitation, those resulting from loss of use, data or profits, whether or not AAI Environmental Data has been advised of the possibility of such damages, and on any theory of liability, arising out of or in connection with the use of this data.

# Location Map



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

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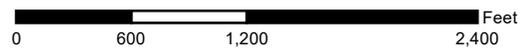
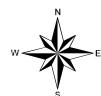


Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

## Site

**Location:** Livingston, TX 77351

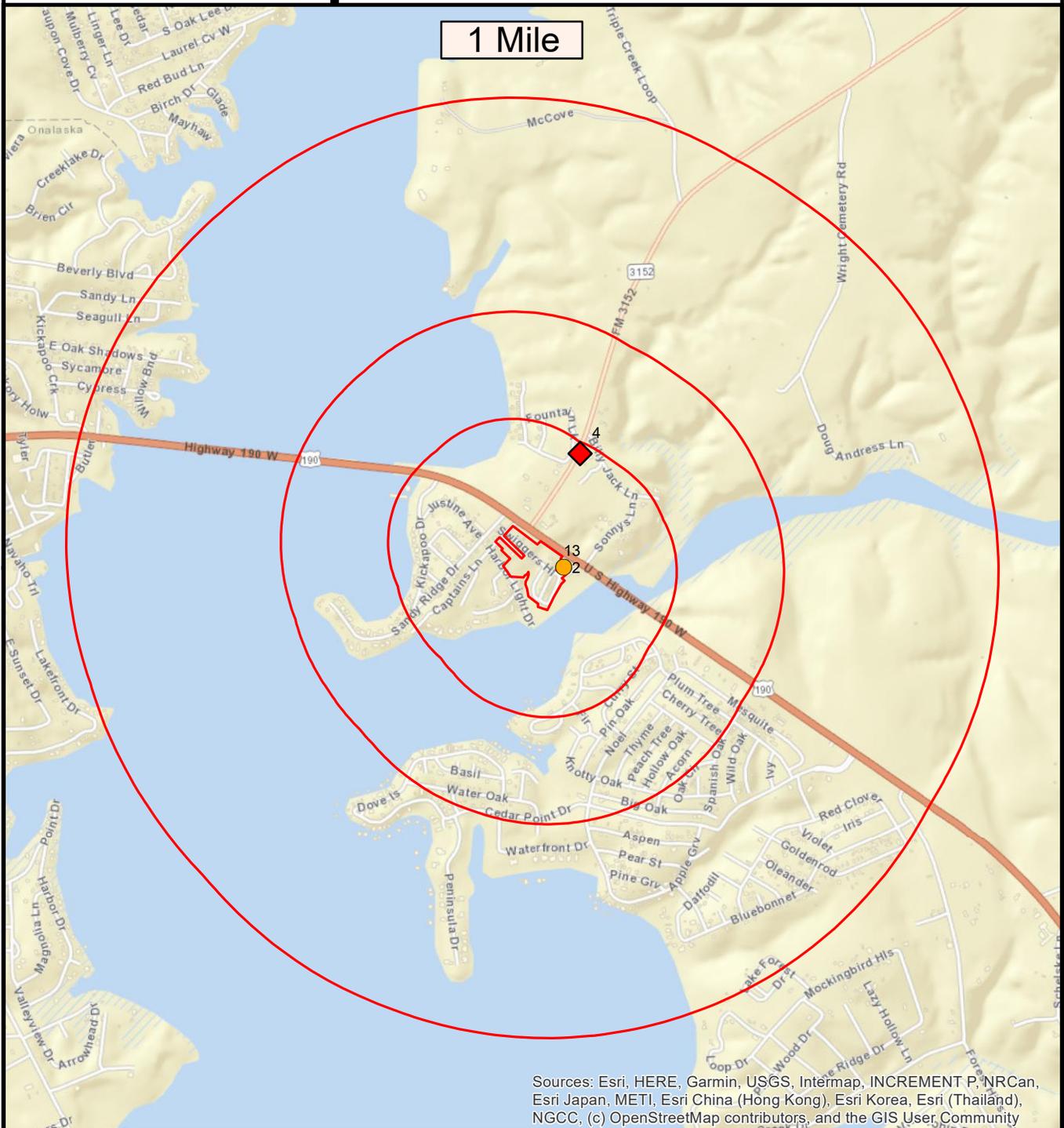
**Job Number:** 202501055



**Note:** Property location and boundaries are representative only.

# Hazard Map

AAI Data

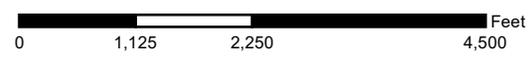


Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

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- |            |             |        |             |
|------------|-------------|--------|-------------|
| ACRES      | AST         | IOP    | CLI         |
| BROWNFIELD | UST         | VCP    | MSW         |
| RRCBRP     | LPST        | RRCVCP | ERNS        |
| SPL        | RCRA        | IHW    | MSD         |
| SEMS       | RCRATSDF    | IHWCA  | DRY CLEANER |
| RDR        | RCRACORRACT | DCRP   |             |

**Site**  
**Location:** Livingston, TX 77351  
**Job Number:** 202501055



**Note: Property location and boundaries are representative only.**

# Hazard Map

AAI Data



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

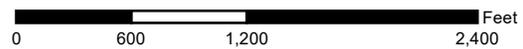
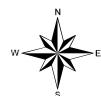
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- |            |             |        |             |
|------------|-------------|--------|-------------|
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| BROWNFIELD | UST         | VCP    | MSW         |
| RRCBRP     | LPST        | RRCVCP | ERNS        |
| SPL        | RCRA        | IHW    | MSD         |
| SEMS       | RCRATSDF    | IHWCA  | DRY CLEANER |
| RDR        | RCRACORRACT | DCRP   |             |

## Site

**Location:** Livingston, TX 77351

**Job Number:** 202501055



**Note:** Property location and boundaries are representative only.

# Hazard Map

AAI Data

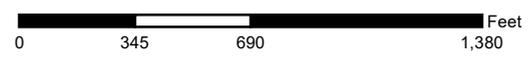


Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

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- |            |             |        |             |
|------------|-------------|--------|-------------|
| ACRES      | AST         | IOP    | CLI         |
| BROWNFIELD | UST         | VCP    | MSW         |
| RRCBRP     | LPST        | RRCVCP | ERNS        |
| SPL        | RCRA        | IHW    | MSD         |
| SEMS       | RCRATSDF    | IHWCA  | DRY CLEANER |
| RDR        | RCRACORRACT | DCRP   |             |

**Site**  
**Location:** Livingston, TX 77351  
**Job Number:** 202501055



**Note: Property location and boundaries are representative only.**

## Search Summary

Job Number: 202501055

Source	Environmental Record	Update Time	ASTM Search Distance (miles)	Subject Property	Adjoining Property	1/2 Mile	1 Mile	Total
<b>Federal Sites</b>								
EPA	SEMS**	5/10/2024	1	0	0	0	0	0
EPA	RCRA***	8/12/2024	0.25	0	1	0	0	1
EPA	RCRA_TSDf	8/12/2024	0.500	0	0	0	0	0
EPA	RCRA_CORRACT	8/12/2024	1.000	0	0	0	0	0
NRC	ERNS	4/1/2024	Property	0	0	0	0	0
<b>State and Tribal Sites</b>								
TCEQ	SPL	9/3/2024	1.000	0	0	0	0	0
TCEQ	MSW	8/31/2024	0.500	0	0	0	0	0
TCEQ	CLI	5/6/2024	0.500	0	0	0	0	0
TCEQ	AST	11/24/2024	0.25	0	0	0	0	0
TCEQ	UST	11/23/2024	0.25	0	1	0	0	1
TCEQ	LPST	8/7/2024	0.500	0	1	0	0	1
TCEQ	RDR	9/23/2024	0.25	0	1	0	0	1
TCEQ	IOP	9/21/2024	0.500	0	0	0	0	0
TCEQ	VCP	9/21/2024	0.500	0	0	0	0	0
RRC TX	RRC-VCP	12/14/2024	0.500	0	0	0	0	0
TCEQ	BROWNFIELD	9/23/2024	0.500	0	0	0	0	0
TCEQ	IHW	9/1/2024	0.25	0	0	0	0	0
TCEQ	IHWCA	9/20/2024	0.500	0	0	0	0	0
RRC TX	RRC-BRP	12/14/2024	0.500	0	0	0	0	0
<b>Supplemental Databases</b>								
TCEQ	MSD	9/21/2024	1.000	0	0	0	0	0
TCEQ	DCR	12/14/2024	0.500	0	0	0	0	0
TCEQ	DCRP	3/1/2024	0.500	0	0	0	0	0
EPA	ACRES	3/10/2024	0.500	0	0	0	0	0

\*Adjoining properties are defined as being within a search radius of 0.25 mi. from the subject property boundaries.

\*\*SEMS includes CERCLIS, NPL, NPL delisted, NFRAP, and IC/EC

\*\*\*RCRA includes RCRA and IC/EC

# Search Summary

**Job Number:** 202501055

## Ungeocodables Summary

**Zipcode:**      **Ungeocoded Sites:**

## Site Summary

Map ID	Type	Facility ID	Facility Name	Address	Distance Direction
1	LPST	115037	SANDY CREEK RESORT CAMPGROUND	11941 U S HIGHWAY 190 W LIVINGSTON, TX	E 0.01
2	RDR	968	SANDY CREEK RESORT & CAMP	11811 HWY 190 WEST LIVINGSTON, TX	E 0.01
3	UST	15876	MIDWAY 22	11941 U S HIGHWAY 190 W LIVINGSTON, TX 77351	E 0.01
4	RCRA	TXR000082172	BILL JONES EQUIPMENT CO., INC.	314 FM 3152 LIVINGSTON, TX 77351-0222	NE 0.225

<b>MAP ID</b> <b>1</b>	<b>HAZARD TYPE:</b> LPST	<b>FACILITY ADDRESS:</b> 11941 U S HIGHWAY 190 W
	<b>DISTANCE:</b> 0.010 E	LIVINGSTON, TX

**LPST INFORMATION:**

**LPST ID:** 115037  
**Facility Name:** SANDY CREEK RESORT CAMPGROUND  
**TCEQ Reference Number:** RN102860558  
**PST REG:** 15876; 30596  
**Site Discovery Assessment ID:**  
**SDA Hyperlink**  
**Discovered:** 6/2/2000  
**Reported:** 6/2/2000  
**Date Entered:** 8/31/2000  
**Closure Date:** 9/30/2010  
**TCEQ Region:** REGION 10 - BEAUMONT  
**Priority Code:** 2.6 - IMPACTED GW DISCHARGE TO SW  
 USED BY HUMANENDGR SPEC LT 500F  
**Status Code:** 6A - FINAL CONCURRENCE ISSUED  
**Program Area:** 1P - PRIVATIZATION CONTRACTOR

<b>MAP ID</b> <b>2</b>	<b>HAZARD TYPE:</b> RDR <b>DISTANCE:</b> 0.01 E	<b>FACILITY ADDRESS:</b> 11811 HWY 190 WEST LIVINGSTON, TX
---------------------------	--	---

**FACILITY INFORMATION:**

RDR Number 968  
Facility Number 15876  
TCEQ Regsitration Numbers  
Site Discovery Assessment ID:  
SDA Hyperlink  
Date Report Received 8/8/2000  
Facility Name SANDY CREEK RESORT  
Tank Owner 190 HWY INC

**RELATED LPST INFORMATION:**

Date of Latest TCEQ Letter 8/31/2000  
New LPST Number  
Previous LPST Number  
LPST Letter Date  
Comments

<b>MAP ID</b> <b>3</b>	<b>HAZARD TYPE:</b> UST	<b>FACILITY ADDRESS:</b> 11941 U S HIGHWAY 190 W
	<b>DISTANCE:</b> 0.01 E	LIVINGSTON, TX 77351

**FACILITY INFORMATION:**

<b>Facility ID:</b>	15876	<b>Facility Contact:</b>	NITIN ANKOLEKAR
<b>Facility Name:</b>	SANDY FOOD MART	<b>Facility Contact Title:</b>	PRES
<b>Facility Type:</b>	RETAIL	<b>Facility Contact Phone:</b>	9364470031
<b>Facility Begin Date:</b>	8/18/1986		
<b>Facility Status:</b>	ACTIVE		
<b>Number of Active USTs:</b>	2	<b>Enforcement Action:</b>	N
<b>Number of Active ASTs:</b>	0	<b>Enforcement Action Date:</b>	

**OWNER INFORMATION:**

<b>Owner Name:</b>	SAI PETROLEUM INC	<b>Owner ID:</b>	CN605831528
<b>Owner Type:</b>	CO		
<b>Contact Mailing Address:</b>	11915 US HIGHWAY 190 W LIVINGSTON, TX 77351	<b>Contact Phone:</b>	9364470031

**OPERATOR INFORMATION:**

<b>Operator CN:</b>	CN605831528	<b>Effective Date:</b>	10/31/2020
<b>Operator Name:</b>	SAI PETROLEUM INC	<b>Operator Type:</b>	CO

**TANK DETAILS:**

<b>UST ID:</b>	197527	<b>Tank Installation Date:</b>	04/18/2001
<b>Tank Id:</b>	1	<b>Tank Registration Date:</b>	5/10/2001
<b>Number of Compartments:</b>	1	<b>Current Status Date:</b>	4/18/2001
<b>Tank Capacity (in gallons):</b>	10000		
<b>Tank Status:</b>	IN USE		

**COMPARTMENT DETAILS:**

<b>Compartment</b>	A	<b>Substance Stored 1:</b>	GASOLINE
<b>Capacity (in gallons):</b>	10000	<b>Substance Stored 2:</b>	
		<b>Substance Stored 3:</b>	

**TANK DETAILS:**

<b>UST ID:</b>	197528	<b>Tank Installation Date:</b>	04/18/2001
<b>Tank Id:</b>	2	<b>Tank Registration Date:</b>	5/10/2001
<b>Number of Compartments:</b>	2	<b>Current Status Date:</b>	4/18/2001
<b>Tank Capacity (in gallons):</b>	5000		
<b>Tank Status:</b>	IN USE		

**COMPARTMENT DETAILS:**

<b>Compartment</b>	A	<b>Substance Stored 1:</b>	GASOLINE
<b>Capacity (in gallons):</b>	5000	<b>Substance Stored 2:</b>	
		<b>Substance Stored 3:</b>	

**COMPARTMENT DETAILS:**

<b>Compartment</b>	B	<b>Substance Stored 1:</b>	DIESEL
<b>Capacity (in gallons):</b>	5000	<b>Substance Stored 2:</b>	
		<b>Substance Stored 3:</b>	

**TANK DETAILS:**

<b>UST ID:</b>	40578	<b>Tank Installation Date:</b>	01/01/1971
<b>Tank Id:</b>	1A	<b>Tank Registration Date:</b>	5/8/1986
<b>Number of Compartments:</b>	1	<b>Current Status Date:</b>	5/31/2000
<b>Tank Capacity (in gallons):</b>	8000		
<b>Tank Status:</b>	REMOVED FROM GROUND		

<b>MAP ID</b>  <b>3</b>	<b>HAZARD TYPE:</b> UST	<b>FACILITY ADDRESS:</b> 11941 U S HIGHWAY 190 W
	<b>DISTANCE:</b> 0.01 E	LIVINGSTON, TX 77351

**COMPARTMENT DETAILS:**

<b>Compartment</b> A	<b>Substance Stored 1:</b> GASOLINE
<b>Capacity (in gallons):</b> 8000	<b>Substance Stored 2:</b>
	<b>Substance Stored 3:</b>

**TANK DETAILS:**

<b>UST ID:</b> 40579	<b>Tank Installation Date:</b> 01/01/1971
<b>Tank Id:</b> 3	<b>Tank Registration Date:</b> 5/8/1986
<b>Number of Compartments:</b> 1	<b>Current Status Date:</b> 5/31/2000
<b>Tank Capacity (in gallons):</b> 6000	
<b>Tank Status:</b> REMOVED FROM GROUND	

**COMPARTMENT DETAILS:**

<b>Compartment</b> A	<b>Substance Stored 1:</b> GASOLINE
<b>Capacity (in gallons):</b> 6000	<b>Substance Stored 2:</b>
	<b>Substance Stored 3:</b>

**TANK DETAILS:**

<b>UST ID:</b> 80465	<b>Tank Installation Date:</b> 01/01/1983
<b>Tank Id:</b> 2A	<b>Tank Registration Date:</b> 5/8/1986
<b>Number of Compartments:</b> 1	<b>Current Status Date:</b> 5/31/2000
<b>Tank Capacity (in gallons):</b> 8000	
<b>Tank Status:</b> REMOVED FROM GROUND	

**COMPARTMENT DETAILS:**

<b>Compartment</b> A	<b>Substance Stored 1:</b> GASOLINE
<b>Capacity (in gallons):</b> 8000	<b>Substance Stored 2:</b>
	<b>Substance Stored 3:</b>

**TANK DETAILS:**

<b>UST ID:</b> 80466	<b>Tank Installation Date:</b> 01/01/1983
<b>Tank Id:</b> 4	<b>Tank Registration Date:</b> 5/8/1986
<b>Number of Compartments:</b> 1	<b>Current Status Date:</b> 5/31/2000
<b>Tank Capacity (in gallons):</b> 6000	
<b>Tank Status:</b> REMOVED FROM GROUND	

**COMPARTMENT DETAILS:**

<b>Compartment</b> A	<b>Substance Stored 1:</b> DIESEL
<b>Capacity (in gallons):</b> 6000	<b>Substance Stored 2:</b>
	<b>Substance Stored 3:</b>

<b>MAP ID</b> <b>4</b>	<b>HAZARD TYPE:</b> RCRA	<b>FACILITY ADDRESS:</b>	314 FM 3152 LIVINGSTON TX 773510222
	<b>DISTANCE:</b> 0.225 NE		

**FACILITY INFORMATION**

EPA ID Number: TXR000082172  
 All RCRA/EPA ID Numbers: <https://echo.epa.gov/detailed-fac>  
 Current Site Name: BILL JONES EQUIPMENT CO., INC.  
 NAICS Code:  
 NAICS Description:  
 Hazardous Report Universe Record: Other ECHO Universe  
 Full Enforcement Universe:  
 Federal Waste Generator Code: N  
 site.Transporter: 0  
 Active Site Universe: ----  
 Operating TSDF (Treatment, Storage, or Disposal Unit) Universe:

RCRA Hyperlink

ECHO Hyperlink <https://echo.epa.gov/detailed-facility-report?fid=TXR000082172>

**CORRECTIVE ACTION:**

Corrective Action Workload?: No

**ENFORCEMENTS**

Identifier:	Type:	Description:	Agency:	Date Issued:

**EVALUATIONS**

Identifier:	Type:	Description:	Agency:	Start Date:	Violation Found:
					False

**VIOLATIONS**

Type:	Description:	Agency:	Scheduled Compliance Date:

**INSTITUTIONAL AND ENGINEERING CONTROLS:**

Site ID:	Site Name:	Event Code:	Event Description:	Actual Date:

## Ungeocodables

The following sites were not geocoded due to mapping and/or database limitations. These sites are believed to be within the subject sites zip code or in an adjacent zip code within 1/2 mile of the subject property, but due to database inaccuracies, no guarantees can be made that these sites actually exist within the zip code nor can it be guaranteed that the listed sites are the only sites in the zip code.

The following ZIP codes have been searched for ungeocodables 77360 77351

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Facility ID	Type	Facility Name	Street Address
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No Ungeocoded Sites

## DATA SOURCES

SEMS Superfund Enterprise Management System - Effective January 31, 2014, the Superfund program decommissioned CERCLIS and transitioned to the Superfund Enterprise Management System (SEMS). CERCLIS (Comprehensive Environmental Response, Compensation and Liability Information System) was a database used by the U.S. Environmental Protection Agency (EPA) to track activities under its Superfund program. The reports previously generated by the CERCLIS legacy system are now updated with SEMS – the Superfund Enterprise Management System – and include the same data and content. This database is the source for CERCLIS, NPL, NPL Delisted, NFRAP and IC/EC.

RCRA Resource Conservation and Recovery Act Information - RCRAInfo is the U.S. Environmental Protection Agency's comprehensive information and inventory system that supports the RCRA (1976) and HSWA (1984) through the tracking of events and activities regarding permit/closure status, compliance with Federal and State regulations and cleanup activities at facilities that generate, treat, store or dispose of hazardous waste. Information on cleaning up after accidents or other activities that result in a release of hazardous materials to the water, air or land is also reported through RCRAInfo. Corrective Action is a requirement under RCRA which requires TSD facilities owners and operators to investigate and cleanup hazardous waste releases into soil, groundwater, surface water and air.

ACRES Assessment, Cleanup and Redevelopment Exchange System (EPA Brownfield) - The EPA's ACRES database stores information reported by EPA Brownfields Grantees on Brownfields properties assessed or cleaned up with grant funding as well as information on Targeted Brownfields Assessments performed by EPA Regions. Recipients are awarded EPA Brownfields funding to address hazardous substances and/or petroleum contamination at brownfield properties. The EPA's Brownfields Program is designed to empower states, communities, and other stakeholders in economic redevelopment to work together in a timely manner to prevent, assess, safely clean up, and sustainably reuse brownfields.

Land Use Controls (LUCs) - Land Use controls may consist of Institutional Controls (ICs) and Engineering Controls (ECs). LUCs help to minimize the potential for exposure to contamination and/or protect the integrity of a response action and are typically designed to work by limiting land and/or resource use or by providing information that helps modify or guide human behavior at a site. Institutional Controls (ICs) are non-engineering measures and are almost always used in conjunction with, or as a supplement to, other measures such as waste treatment or containment. There are four categories of ICs: Governmental Controls (zoning restrictions, ordinances, statues, building permits or other provisions that restrict land or resource use at a site), Proprietary Controls (easements, covenants, Deed Restrictions), Enforcement and Permit Tools (consent decrees, administrative orders), and Informational Devices (State Registries of contaminated sites, deed notices and advisories). ICs are used when contamination is first discovered, when remedies are ongoing and when residual contamination remains onsite at a level that does not allow for unlimited use and unrestricted exposure after cleanup. Engineering Controls (ECs) encompass a variety of engineered and constructed physical barriers to contain and/or prevent exposure to contamination on a property. ECs are often installed during cleanup as a condition of a no further action determination and are generally intended to be in place for long periods of time.

ERNS Emergency Response Notification System – is the database used to store information on notifications of oil discharges and hazardous substances release. The ERNS program is a cooperative data sharing effort among the Environmental Protection Agency (EPA) Headquarters, the Department of Transportation (DOT), National Transportation Systems Center (NTSC), the ten EPA Regions, the U.S. Coast Guard (USCG), and the National Response Center (NRC). ERNS provide the most comprehensive data compiled on notifications of oil discharges and hazardous substances releases in the United States. The types of release reports that are available in ERNS fall into three major categories: substances designated as hazardous substances under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended; oil and petroleum products (Clean Water Act of 1972), as amended by the Oil Pollution Act of 1990; and all other types of materials. EARNS is a database of initial notifications and not incidents, so there are limitations to the data. There may be multiple reports for a single incident, and because reports are taken over the phone, misspellings, and locational information limit the quality of some data.

State Superfund Registry in Texas - was established by the 69th Texas Legislature in 1985 and administered by TCEQ lists those abandoned or inactive sites that have serious contamination but do not qualify for the federal program, and therefore are cleaned up under the state program. The state must comply with federal guidelines in administering the state Superfund program, but EPA approval of the state Superfund actions is not required. The Remediation Division manages Superfund sites, or provides management assistance to EPA on RP-lead Superfund sites, after the site is identified as being eligible for listing on either the state Superfund registry or the federal National Priorities List (NPL).

Municipal Solid Waste – MSW data is provided by the State and the state's 24 Councils of Governments (COGs) which have been designated as the regional municipal solid waste planning entities for Texas and are responsible for developing municipal solid waste management plans (regional plans) to encourage regional approaches to providing services and reducing MSW generation. Data on Municipal Solid Waste Facilities in Texas includes:

- MSW- Facilities (MSW) - Issued permits and other authorizations as well as pending applications for municipal solid waste landfills and processing facilities that are active, inactive, or not yet constructed.
- MWS-Closed (MSW-C) - Issued and revoked permits and other authorizations for municipal landfills and processing facilities that have closed, and applications that were withdrawn or denied.
- Closed Landfill Inventory (CLI) - Historical information listing old, closed unnumbered MSW landfills that were operated before permits were required, as well as unauthorized landfills, and miscellaneous illegal dumps and disposal site. Approximately 4200 sites were compiled in 1993, by the TCEQ in conjunction with Southwest Texas State University and the 24 COGS in Texas; estimated point locations were mapped and available historical information was collected into a database for each county and COG.

## DATA SOURCES

TCEQ Petroleum Storage Tank Program (PST) - regulates underground storage tanks (USTs), and to a lesser extent, aboveground storage tanks (ASTs), containing petroleum or hazardous substances. The PST Program has established action levels and screening criteria for PST chemicals of concern (COCs), to help determine whether sites must be assigned an LPST number and further investigation.

TCEQ Leaking Petroleum Storage Tanks (LPST) data – is maintained the Remediation Division oversees the cleanup of petroleum substance and hazardous releases from regulated aboveground and underground storage tanks.

TCEQ Release Determination Reports (RDR) – are reported to the PST Program and maintained by the Remediation Division. These are used to report the results from an investigation of a suspected or confirmed release. A RDR is not always associated with a registered LPST or PST site. The RDR dataset included in this search is limited.

TCEQ Innocent Owner / Operator Program (IOP) The Texas IOP created by House Bill 2776 of the 75th Legislature, provides a certificate to an innocent owner or operator if their property is contaminated as a result of a release or migration of contaminants from a source or sources not located on the property, and they did not cause or contribute to the source or sources of contamination.

TCEQ Voluntary Cleanup Program (VCP) - provides administrative, technical, and legal incentives to encourage the cleanup of contaminated sites in Texas. Since all non-responsible parties, including future lenders and landowners, receive protection from liability to the state of Texas for cleanup of sites under the VCP, most of the constraints for completing real estate transactions at those sites are eliminated. As a result, many unused or under used properties may be restored to economically productive or community beneficial use. Also under the VCP, site cleanups follow a streamlined approach to reduce future human and environmental risk to safe levels. The Texas Voluntary Cleanup Program (VCP) Database provides general information on contaminated sites addressed under the Texas VCP. Institutional and Engineering Controls (IC) are included in the

TCEQ Brownfields Site Assessments (BSA) – The BSA Program administers a grant provided by the EPA to perform Brownfields site assessment for local governments and non-profit organizations who are not responsible parties. TCEQ works in close partnership with the EPA and other federal, state, and local redevelopment agencies, and stakeholders, to facilitate cleanup, transfer and revitalization of Brownfields through the development of regulatory, tax, and technical assistance tools.

TCEQ Industrial and Hazardous Waste Program (IHW)) – The Texas Commission on Environmental Quality (TCEQ) oversees both wastes generated in Texas and those generated outside the state and sent to Texas for treatment, storage, and/or disposal. hazardous waste is one that is listed as such by the EPA or that exhibits one or more hazardous characteristics (ignitability, reactivity, corrosiveness, or toxicity). Owners or operators of hazardous waste management units must have permits during the active life (including the closure period) of the unit and are subject to both state and federal requirements. The Industrial and Hazardous Waste Datasets are statewide files from the TRACs-IHW system that include the permitting and annual reporting of industrial and hazardous wastes to the TCEQ.

TCEQ Industrial and Hazardous Waste Corrective Action Program (IHWCA) - The Remediation Division of the TCEQ oversees the Corrective Action Program. Corrective Action is triggered when there is a documented release of hazardous waste constituents to the environment; these releases are the result of the past and present activities at RCRA-regulated facilities. The Corrective Action process includes the investigation/evaluation, and if necessary remediation and cleanup of any contaminated air, groundwater, surface water, or soil of hazardous waste management spills or releases from waste management units and release areas, to ensure protection of human health and the environment. Corrective action requirements apply to all solid waste management units and areas of concern at a facility requiring regulatory agency permitting or

Dry Cleaner Registration (DCR) - State law requires that all dry-cleaning drop stations and facilities register annually with the TCEQ, which implements performance standards at these facilities as appropriate.

TCEQ Dry Cleaner Remediation Program (DCRP) - was established under House Bill 1366 (Sept. 1, 2003) which established new environmental standards for dry cleaners and a remediation fund to assist with remediation of contamination caused by dry cleaning solvents. The program establishes a prioritization list of dry cleaner sites and administers the Dry Cleaning Remediation fund.

Railroad Commission of Texas Brownfields Response Program (BRP) - The Railroad Commission of Texas (RRC) regulates the exploration, production and transportation of oil and natural gas in Texas. The Brownfields response program (BRP) is designed to identify brownfields associated with oil and gas activities and to promote voluntary cleanup by providing federal grant funding for environmental site assessments. The objective of the BRP is to restore brownfields properties in communities across Texas by increasing the redevelopment potential of abandoned oil

Municipal Setting Designations (MSD) - is an official state designation given to property within a municipality or its extraterritorial jurisdiction that certifies that designated groundwater at the property is not used as potable water, and is prohibited from future use as potable water because that groundwater is contaminated in excess of the application potable-water protective concentration level. The prohibition must be in the form of a city ordinance or a restrictive covenant that is enforceable by the city and filed in the property records. MSD is managed by the Remediation Division.

## DATA SOURCES

Railroad Commission of Texas Voluntary Cleanup Program (RRC-VCP) - The purpose of the voluntary cleanup program is to provide an incentive to cleanup property contaminated by activities under Railroad Commission jurisdiction by removing the liability to the state of lenders, developers, owners, and operators who did not cause or contribute to contamination (a waste, pollutant or other substance or material regulated by or that results from an activity under the jurisdiction of the RRC) released at the site. The program is restricted to voluntary actions but does not replace other voluntary actions.

Tribal Databases – The United States has a unique legal relationship with federally-recognized Indian tribes based on the Constitution, treaties, statutes, executive orders and court decisions. The EPA became the first federal agency to adopt a formal Indian Policy (1984) of working with tribes on a government-to-government basis. There are 561 federally-recognized tribes within the United States. Each tribe is an independent, sovereign nation, responsible for setting standards, making environmental policy, and managing environmental programs for its people. In Texas, these include the Alabama-Coushatta Tribe of Texas, Kickapoo Traditional Tribe of Texas, and the Ysleta Del Sur Pueblo of Texas. The EPA Region 6 Tribal Team members work as liaisons and partner with Tribes in Region 6 on a government-to-government basis, consistent with their inherent sovereignty, assisting other EPA Divisions to resolve environmental issues, consult, and support the development of tribal environmental protection programs. The American Indian Environmental Office manages the Tribal Air, Compliance Enforcement, Waste, Solid Waste and Emergency Response (OSWER), Underground Storage Tanks, Water programs. Brownfields Land Revitalization, Emergency Management, Federal Facilities Restoration and Reuse Office, Office of Resource Conservation and Recovery, Office of Superfund Remediation and Technology Innovation and Office of Underground Storage Tanks (OUST) have tribal response programs or coordinate with Indian tribes. Tribal facility information within these programs is reported through the EPA.

<b>Map ID</b>	<b>Type</b>	<b>Facility ID</b>	<b>Facility Name</b>	<b>Address</b>	<b>Distance &amp; Direction (miles)</b>	<b>TCEQ CR Hyperlink</b>	<b>TCEQ Registration PDF Download</b>
1	LPST	115037	SANDY CREEK RESORT CAMPGROUND	11941 U S HIGHWAY 190 W	0.01 E	<a href="#">RN102860558</a>	
2	RDR	968	SANDY CREEK RESORT & CAMP	11811 HWY 190 WEST	0.01 E		
3	UST	15876	MIDWAY 22	11941 U S HIGHWAY 190 W	0.01 E	<a href="#">RN102860558</a>	<a href="#">View Registration</a>
4	RCRA	TXR000082172	BILL JONES EQUIPMENT CO., INC.	314 FM 3152	0.22 NE		

Bryan W. Shaw, Ph.D., *Chairman*  
Buddy Garcia, *Commissioner*  
Carlos Rubinstein, *Commissioner*  
Mark R. Vickery, P.G., *Executive Director*



LPST 115037 CO

## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

September 30, 2010

### CERTIFIED MAIL

91 7108 2133 3935 2005 5234

Ms. LaNell Orsak  
Hwy 190, Inc.  
11941 Hwy 190 W.  
Livingston, TX 77351-9681

Re: Leaking Petroleum Storage Tank (LPST) Case Closure of Subsurface Release of Hydrocarbons at Sandy Creek Resort & Campground Facility, 11811 Hwy 190 West, Livingston (Polk County), Texas LPST ID No. 115037; Priority 2.6; Facility ID No. 15876; R-10

Dear Ms. Orsak:

The Texas Commission on Environmental Quality (TCEQ) has reviewed the corrective action information submitted in relation to the release incident at the above-referenced facility. Provided that the documentation was accurate and representative of site conditions, it appears that the closure requirements of Title 30, Texas Administrative Code, Chapter 334 (30 TAC 334)—and applicable program guidance—have been met. Therefore, we concur that the site meets the Petroleum Storage Tank (PST) Program closure requirements and that no further corrective action is necessary.

The following criteria were part of the justification used for final closure:

- the maximum soil contaminant concentrations were below health-based target levels;
- there is no apparent threat of explosive vapors;
- there is no documented use of the affected zone within 0.5-mile, and future use of the shallow affected zone is unlikely;
- the maximum groundwater contaminant concentrations were below default construction worker target levels;
- the dissolved-phase plume is delineated to maximum contaminant levels toward the onsite water supply well;
- although the dissolved-phase contaminant plume is not delineated to surface water target levels, source-area contaminant concentrations have decreased over time and no impact to surface water has been detected; and
- identified potential receptors do not appear threatened by this release.

Please note that case closure is based on identified exposure pathways. Any contamination remaining at the site should be reevaluated if future soil excavation or construction activities are conducted. Please ensure that any wastes generated from such activities are handled in compliance with all applicable regulations.

RECEIVED  
SEP 30 2010  
TCEQ  
CENTRAL FILE ROOM

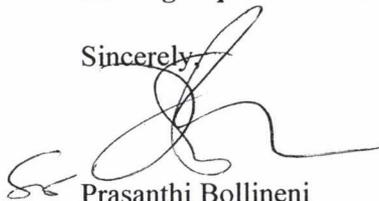
Ms. LaNell Orsak  
September 30, 2010  
Page 2  
LPST ID No. 115037

Be aware that all monitoring wells which are not now in use and/or will not be used in the next 180 days must be properly plugged and abandoned in accordance with the requirements of the Texas Department of Licensing and Regulation (TDLR). Contact TDLR at 512/ 463-6599 or 800/803-9202 (toll free in Texas), or visit their website located at [www.license.state.tx.us](http://www.license.state.tx.us) for more information.

Be aware that any new or existing underground or above-ground storage tanks remaining at this site continue to be subject to TCEQ tank registration, self-certification, financial assurance and technical standards provisions. See [www.tceq.state.tx.us/nav/permits/pst\\_cert.html](http://www.tceq.state.tx.us/nav/permits/pst_cert.html) or call 512/239-2182 for more information.

**Please reference the LPST and facility ID numbers on any future correspondence regarding this site.** Should you have any questions, please contact Ms. Trudy Hasan of Darcy Environmental Group (TCEQ Privatization Contractor) at 512/342-8585, extension 204. **Please reference the LPST ID Number when making inquiries.** Your cooperation in this matter has been appreciated.

Sincerely,



Prasanthi Bollineni  
PST Privatization Contract Manager  
PST/DCRP Section  
Remediation Division  
Texas Commission on Environmental Quality

PVB/th2  
115037.334fnn.wpd

LP 5C 115037-00

# Texas Commission on Environmental Quality

## INTEROFFICE MEMORANDUM

TO : FILE DATE: April 14, 2005; December 22, 2005  
 July 17, 2008; April 1, 2009  
 August 20, 2009; August 20, 2010

THRU : Prasanthi Bollineni, TCEQ On Site Supervisor  
 David Bratberg, Senior Project Manager, Darcy Environmental Group

FROM : Trudy Hasan, Case Coordinator, Darcy Environmental Group

RE : File Review of Subsurface Release of Hydrocarbons at the Sandy Creek Resort & Campground Facility, 11811 Hwy 190 West, Livingston (Polk County), Texas  
 LPST ID No. 115037; Priority 2.6; Facility ID No. 15876; R-10

Based on the release reporting date, this site is not eligible for reimbursement.

### Release Determination

- June 2000 - a confirmed release was reported following the removal of three gasoline and one diesel USTS and associated piping. All four tanks had failed a tightness test on 3/23/00.
- Fluid wastes and the tanks were properly disposed.
- Maximum native soil concentrations were:
  - benzene 4.30 ppm (Bottom Tank 4, 5/31/00)
  - BTEX 61.2 ppm (Bottom Tank 4, 5/31/00)
  - TPH total 3,388 ppm (Bottom Tank 4, 5/31/00)
  - C10-C28 1,270 ppm (Bottom Tank 4, 5/31/00)
  - PAH NA.
- The excavated backfill, which contained 0.70 ppm benzene, 7.7 ppm BTEX, and 462 ppm TPH, was returned to the former tankhold.
- A LAD was issued to Ms. Lanell Orsak on 9/27/00.

Exposure Pathways Open:
<input type="checkbox"/> GW Ingestion (onsite - current)
<input type="checkbox"/> GW Ingestion (onsite - future)
<input type="checkbox"/> GW Ingestion (offsite - current)
<input type="checkbox"/> GW Ingestion (offsite - future)
<input type="checkbox"/> Construction Worker
<input type="checkbox"/> plume stability monitoring
<input type="checkbox"/> Soils- Exp. Vapor
<input type="checkbox"/> Soils - Health
<input type="checkbox"/> NAPL, DTW <15'
<input type="checkbox"/> GW to surface water
<input type="checkbox"/> Other

### Site Characteristics

- The site is a RV campground and boat launch facility adjacent to Sandy Creek.
- Future use is expected to remain commercial/recreational.
- The affected zone is 75-100% paved.
- Surrounding land use is residential.
- Sand of the Catahoula Formation, overlying the Gulf Coast Aquifer.

### Soil Assessment

- Plan A Assessments were completed in 2001 and 2008.
- Five soil borings installed and completed as monitoring wells. MW-2 was installed directly in the former tankhold. MW-4 is located between the former tankhold and Sandy Creek. MW-5 is located between the source area (former tankhold) and the onsite water supply well.
- Maximum soil concentrations:
  - benzene 0.235 ppm (MW-2, 20', 4/21/01)
  - BTEX 40.18 ppm (MW-2, 15', 4/21/01)

TPH total 300 ppm (MW-2, 15', 4/21/01)

C10-C28 <50 ppm (MW-2, 15', 4/21/01)

PAHs NA; not required.

- A vapor survey indicated no threat of explosive vapors.
- Maximum soil concentrations are below health-based and construction worker target levels for BTEX. Although a PAH analysis was not conducted on the Bottom Tank 4 sample, other soil data suggest that diesel-range contamination is minimal.
- Soil disposal documentation has not been submitted.

### Groundwater Assessment

- 5 MWs; properly screened.
- DTW is 6' to 9.7' btoc.
- The groundwater gradient is typically to the east-southeast, toward the creek located about 120 feet from the tankhold.
- TDS is 691 ppm (MW-1).
- 14 GWM events were conducted between April 2001 and June 2010. No monitoring took place in 2005-2007. No NAPL has been reported. Maximum groundwater concentrations:

	<u>Historical</u>	<u>Current (last 3 events)</u>
benzene	8.06 ppm (MW-4, 8/27/08)	4.48 ppm (MW-4, 3/3/10)
BTEX	9.06 ppm (MW-4, 8/27/08)	5.74 ppm (MW-4, 3/3/10)
MTBE	1.01 ppm (MW-2, 4/24/01)	0.53 ppm (MW-4, 12/16/09)
TPH	17.7 ppm (MW-2, 11/26/02)	10.4 ppm (MW-4, 12/16/09)
PAHs	<Plan A (MW-3, 5/21/08)	NA (<5 ppm DRO)

- TPH is almost entirely in the gasoline range and has decreased to below the surface water target of 15 ppm.
- Downgradient MW-4 contains the highest benzene concentration reported. Plume delineation toward the creek does not appear feasible since MW-4 is within 50 feet of the creek. Creek sampling (see below) shows no impact above action or target levels.
- The plume is delineated to MCLs toward the onsite supply well, with TPH <2.5 ppm in sentinel well MW-5.
- Fluid wastes were properly disposed.

### Surface Water Assessment

- A water sample collected from Sandy Creek on 4/24/01 contained bdl benzene, 0.002 ppm BTEX, 0.0013 ppm MTBE, and bdl TPH.
- Surface water criteria for the creek are equivalent to Category I (MCLs); PAH criteria also provided.
- Sandy Creek is threatened by this release, but a surface water sample collected on 11/25/08 about 60 feet southeast of MW-4 contained no detectable BTEX, MTBE, TPH, or PAH.
- Requested regular sampling of surface water sample east of MW-4 at closest discharge point. Additional samples collected 3/3/10 and 6/28/10 were also non-detect.

### Receptors and Site Priority/Category

- The site is located over the Gulf Coast Aquifer, but the shallow affected zone is not likely to be used in the future for drinking water.
- ix domestic and two public water supply wells are located within 0.5-mile of the site. The nearest water well is the onsite well located about 800 feet southwest (cross-gradient) of the source area. This public

supply well (G1870087B) is screened 164'-184' and appears to be adequately cemented. Even though this well is unlikely to be impacted by the release based on its location and construction information, a delineation well between the source and the water well was installed (MW-5) as a sentinel well. Other water wells are also screened below the affected zone (>82' bgs) and do not appear threatened by this release based on their locations and construction details.

- **Sandy Creek is located about 100' east of the source area and is imminently threatened by the release, if not already impacted, based on data from MW-4.** This creek is a tributary to Lake Livingston. Surface water criteria for the creek are MCLs. To date, surface water samples have not exceeded these target levels.
- Water is provided to the campground/resort via the onsite supply well (see above).
- Subsurface utilities are located about 50' south of the source area.
- The site priority has been changed from 3.2 to 2.6 because of the proximity of Sandy Creek to the source area (~100' east). Groundwater is Category II since there is no documented use of the affected zone for drinking water purposes.

#### Recent Submittals

##### Assessment A Addendum (rec'd 10/20/08)

- This report documents the installation of downgradient well MW-4 and a sampling event of all four wells. MW-4, located about 60 feet from the creek, contains 8.06 ppm benzene - the highest reported for this site. The creek has likely already been impacted. A current surface water sample will be requested along with surface water criteria. Additional drilling closer to the creek doesn't appear feasible. Note that groundwater summary table is missing sampling dates and data.
- Information regarding the onsite supply well has been provided. It is located about 800 feet cross-gradient and uphill from the source area. Although it is not likely to be threatened, a delineation well between the source and the water well is warranted.

##### Assessment A Addendum (rec'd 3/18/09)

- This report documents the installation of sentinel well MW-5, installed between the source area and the onsite public supply well. No contaminants were detected in soil or groundwater samples collected from MW-5. The report also documents sampling of the water supply well and the creek downgradient of the source area. No contaminants were detected in these water samples; the creek sample was also analyzed for PAHs, all bdl.
- Surface water criteria are currently met. Request regular monitoring of the creek east of MW-4. Fax issued 4/10/09.

##### Monit Annl, PA8 (rec'd 7/27/09)

- This report documents four quarters of monitoring from August 2008 to May 2009. The report is complete except for fluid waste disposal documentation. Overall, contaminant concentrations appear stable in MW-4 and stable or decreasing in other wells. A minor amount of TPH (1.9 ppm) was detected in the upgradient sentinel well, so need to verify contaminant levels with additional monitoring. Surface water criteria are exceeded in MW-4, but so far creek samples have been below action/target levels.
- Approve four quarters of monitoring. *CARF issued 9/9/09.*

##### Monit Annl, SCR (rec'd 8/6/10)

- *Three quarters of monitoring were completed between December 2009 and June 2010. Overall, contaminant levels are stable or decreasing. TPH in MW-4 was below 15 ppm for the past three*

*quarters. Surface water criteria for benzene continue to be exceeded in MW-4, but creek samples collected downgradient of MW-4 are below detection limits. Since the contaminant plume appears to be attenuating, site closure will be approved.*

- *Issue fax and site closure letter.*

#### **Exposure Pathway Evaluation**

- *soils: maximum soil concentrations in the 0-15' interval < health-based and construction worker target levels; closed.*
- *soils: vapor assessment indicates no threat of explosive vapors; closed.*
- *current groundwater ingestion: plume is delineated toward onsite public supply well 800 feet southwest of source; closed.*
- *future onsite groundwater ingestion: there is no documented use of the shallow affected zone which discharges into the creek, future use of this zone is not likely; closed.*
- *future offsite groundwater ingestion: affected groundwater discharges to creek; offsite groundwater ingestion of shallow zone not an issue; closed.*
- *construction worker: max. conc. in gw < cw target levels; closed.*
- *groundwater to surface water: creek is threatened but creek samples have been non-detect and plume is attenuating; closed.*
- *plume stability: stable or decreasing over time, unable to delineate closer to the creek; closed.*

#### **Conclusions/Recommendations**

- *The site is not eligible for reimbursement, based on the date the release was reported.*
- *Priority 2.6 with creek immediately downgradient of the source area. (Category I target levels for the creek). Elevated BTEX and TPH concentrations are present in MW-4 and no additional delineation toward the creek is feasible. To date, surface water samples have been below action/target levels. Since the contaminant plume appears to be attenuating, site closure is approved.*

# Remediation Division Correspondence Identification Form

## SITE & PROGRAM AREA IDENTIFICATION

<b>SITE LOCATION</b>		<b>REMEDIATION DIVISION PROGRAM AND FACILITY IDENTIFICATION</b>	
Site Name: <b>Sandy Creek Resort &amp; Campground</b>		Is This Site Being Managed Under A State Lead Contract? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Address 1: <b>11941 U.S. Hwy 190 W.</b>		Program Area: <b>LEAKING PETROLEUM STORAGE TANK</b>	
Address 2:		Mail Code: <b>MC-137</b>	
City: <b>Livingston</b>	State: <b>Texas</b>	Is This A New Site To This Program Area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Zip Code: <b>77351</b>	County: <b>Polk</b>	LPST No.:	<b>115037</b>
TCEQ Region: <b>Region 10 - Beaumont</b>		FACILITY ID No.:	<b>15876</b>

## DOCUMENT(S) IDENTIFICATION

PHASE OF REMEDIATION	DOCUMENT NAME
1. <b>CLOSURE</b>	<b>FINAL SITE CLOSURE (FSC) REQUEST</b>
2. <b>Assessment</b>	<b>Annual Groundwater Monitoring Report</b>
3.	
4.	
5.	

WST LPST/ REPORTS *07/13/10*  
 1st: 0015876 2nd: 115037 Vol: 001  
 BBC: 100261503   
 IBC: 100261510 

## CONTACT INFORMATION

I attest that all work has been conducted in accordance with accepted industry standards/practices and adhered to TCEQ guidance and rules. I certify that I am aware that misrepresentation of any of the above claims is a violation of 30 TAC 334.453(b)(1)(E) and that this violation may result in the disciplinary actions set forth in 30 TAC 334.453 and or 334.463 and 334.465.

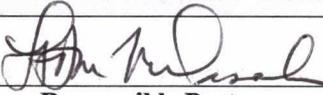
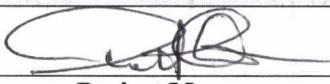
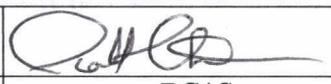
### RESPONSIBLE PARTY/APPLICANT/CUSTOMER

Name: **LaNell Orsak** Phone Number: **936/646-3369** Fax Number: **936/646-3742**  
 Company: **Sandy Creek Resort** City: **Livingston** State: **TX** Zip Code: **77351**  
 Address 1: **11941 Hwy 190 W.** Email Address: **[REDACTED]**  
 Address 2:

### ENVIRONMENTAL CONSULTANT/REPORT PREPARER/AGENT

CAPM: **Scott Stephens** Phone Number: **281/362-0007** CAPM Reg No.: **215**  
 Company: **SCS Environmental Cons. Inc.** City: **Willis** State: **TX** Fax Number: **281/362-0013**  
 Address 1: **202 N. Danville St., Suite B** Email Address: **[REDACTED]** Zip Code: **77378**  
 Address 2:  
 RCAS: **Scott Stephens** Phone Number: **281/362-0007** RCAS Reg No.: **798**  
 Company: **SCS Environmental Cons. Inc.** Fax Number: **281/362-0013**  
 Email Address: **[REDACTED]**

## SIGNATURES

	<i>7/13/10</i>		<i>7/13/10</i>		<i>7/13/10</i>
<b>Responsible Party</b>	<b>Date</b>	<b>Project Manager</b>	<b>Date</b>	<b>RCAS</b>	<b>Date</b>

## TCEQ INTERNAL USE ONLY

Document No.	TCEQ Database Term	Document No.	TCEQ Database Term
1. <b>FSC</b>		4.	
2. <b>RECEIVED</b>		5.	
3. <i>SEP 30 2010</i>			

CENTRAL FILE ROOM

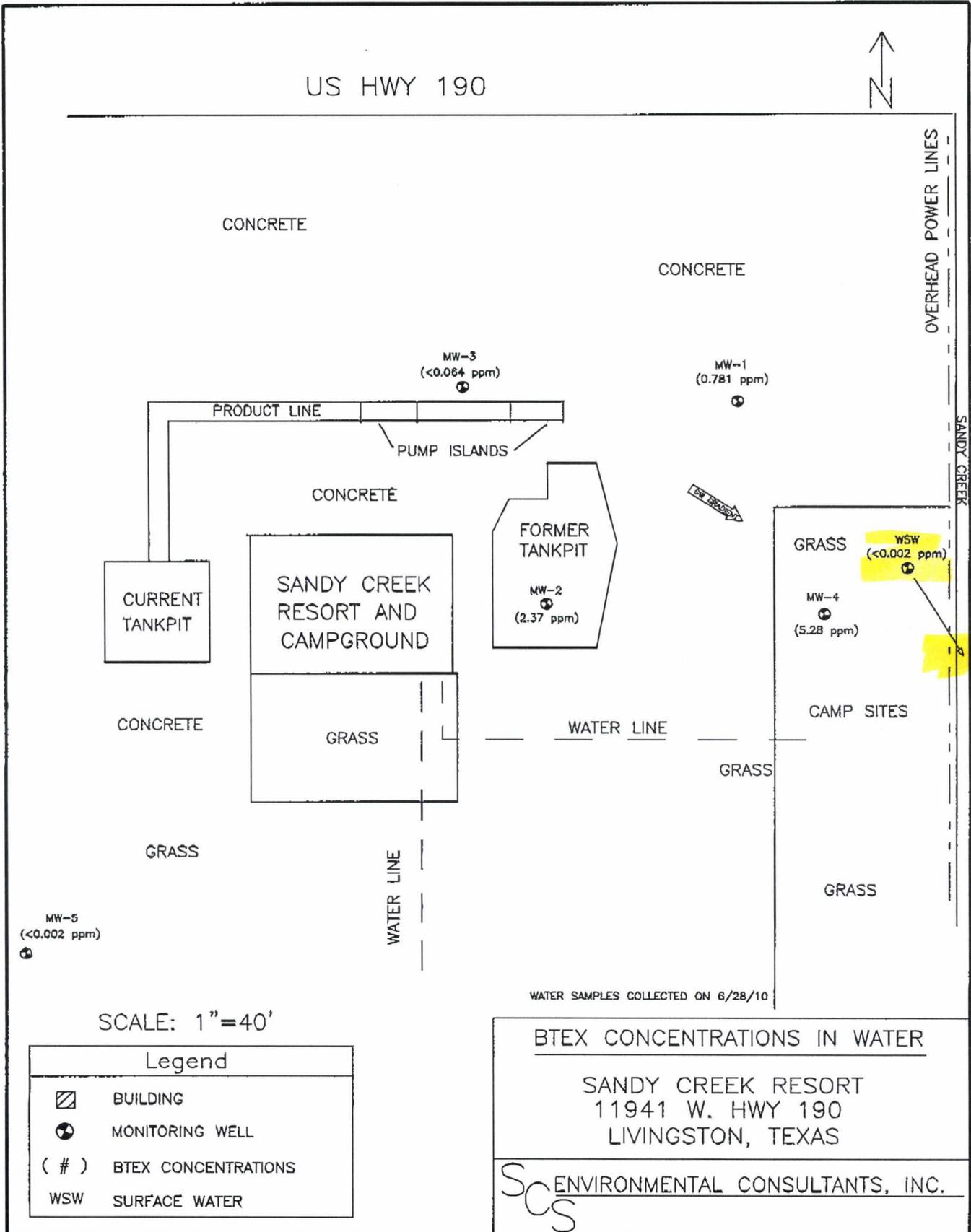
DARCY ENVIRONMENTAL GROUP

AUG 09 2010

AUG 06 2010

TCEQ  
Remediation Division

*Revised map of WSW sample location*



US HWY 190



CONCRETE

CONCRETE

OVERHEAD POWER LINES

MW-3  
(<0.064 ppm)

MW-1  
(0.781 ppm)

PRODUCT LINE

PUMP ISLANDS

CONCRETE

FORMER TANKPIT

MW-2  
(2.37 ppm)

CURRENT TANKPIT

SANDY CREEK RESORT AND CAMPGROUND

GRASS WSW (<0.002 ppm)

MW-4  
(5.28 ppm)

CONCRETE

GRASS

WATER LINE

CAMP SITES

GRASS

GRASS

WATER LINE

GRASS

MW-5  
(<0.002 ppm)

WATER SAMPLES COLLECTED ON 6/28/10

SCALE: 1"=40'

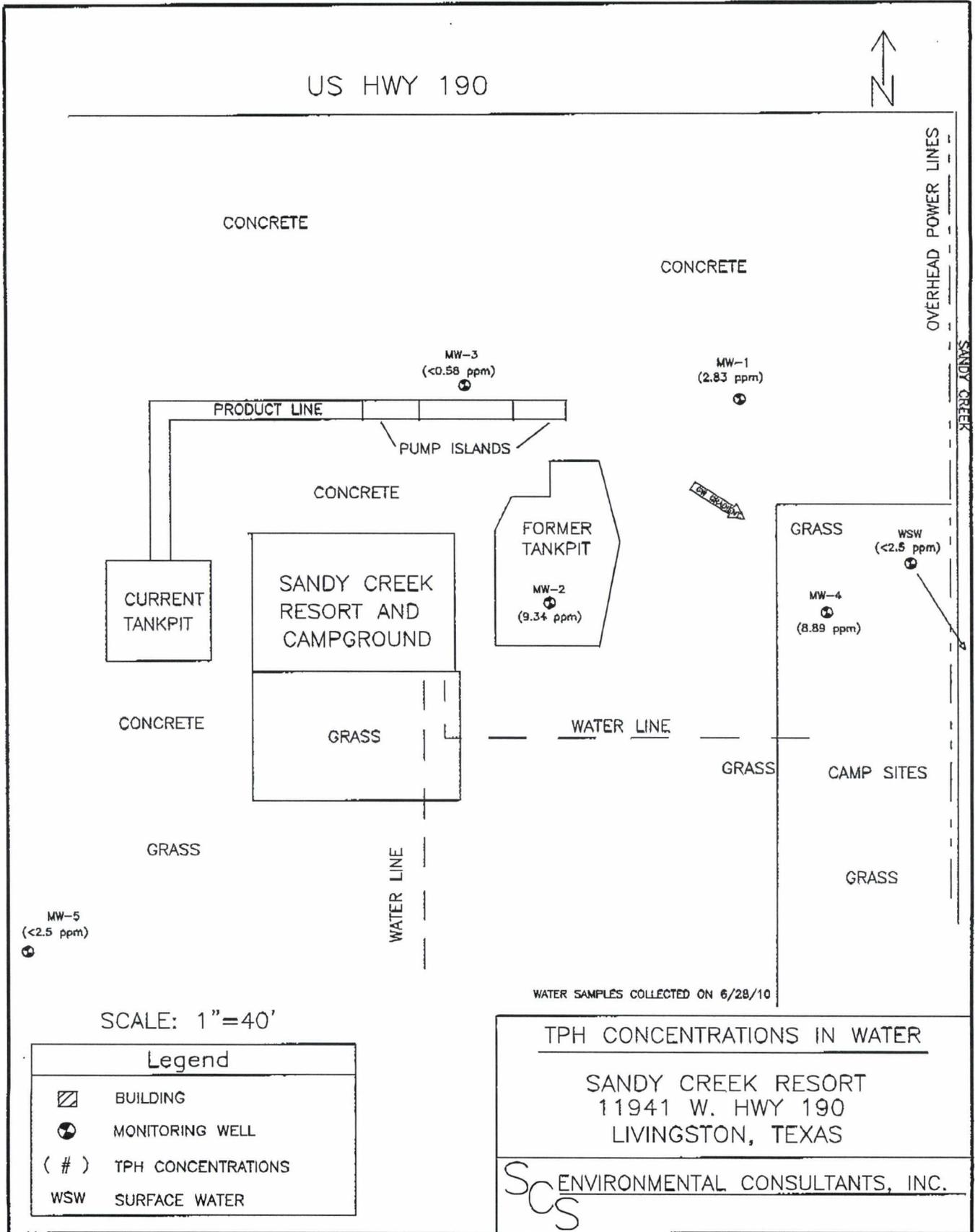
Legend

-  BUILDING
-  MONITORING WELL
- ( # ) BTEX CONCENTRATIONS
- WSW SURFACE WATER

BTEX CONCENTRATIONS IN WATER

SANDY CREEK RESORT  
11941 W. HWY 190  
LIVINGSTON, TEXAS

SCS ENVIRONMENTAL CONSULTANTS, INC.



SCALE: 1"=40'

Legend	
	BUILDING
	MONITORING WELL
( # )	TPH CONCENTRATIONS
WSW	SURFACE WATER

TPH CONCENTRATIONS IN WATER
SANDY CREEK RESORT 11941 W. HWY 190 LIVINGSTON, TEXAS
SCS ENVIRONMENTAL CONSULTANTS, INC.

**I SITE CLOSURE REQUEST FORM**

**General Information**

LPST ID No.: 115037	Facility ID No.: 15876
Responsible Party: LaNell Orsak	
Responsible Party Address: 11941 U.S. Hwy 190 W.	City: Livingston
State: TX	Zip: 77351
Facility Name: Sandy Creek Resort and Campgrounds	
Facility Street Address: : 11941 U.S. Hwy 190 W.	
Facility City: Livingston	County: Polk
What is the current use of the site?	<input checked="" type="checkbox"/> Residence <input type="checkbox"/> School of Day Care <input checked="" type="checkbox"/> Commercial/Industrial <input type="checkbox"/> Recreational <input type="checkbox"/> Agriculture
What is the anticipated use of the site?	<input checked="" type="checkbox"/> Residence <input type="checkbox"/> School of Day Care <input checked="" type="checkbox"/> Commercial/Industrial <input type="checkbox"/> Recreational <input type="checkbox"/> Agriculture
Adjacent property use:	<input checked="" type="checkbox"/> Residence <input type="checkbox"/> School of Day Care <input type="checkbox"/> Commercial/Industrial <input checked="" type="checkbox"/> Recreational <input type="checkbox"/> Agriculture
Distance and direction to nearest off-site residence from property line (ft.):	525' northeast
Distance and direction to nearest school of day care from property line (ft.):	8,500' southwest

**II. CLOSURE SCREENING INFORMATION**

Based on the *Limited Site Assessment Report* form or the *Risk-Based Assessment Report Form* (TCEQ-0562), the site is currently a **Priority** site. If the site priority has changed, list the other priorities that previously pertained to this site:

<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Has non-aqueous phase liquid (NAPL) ever been present at this site (including tankpit observation wells)? If yes, has NAPL been removed to the maximum extent practicable? " Yes " No. Current thickness: ft. If NAPL has not been removed to the maximum extent practicable, stop here and do not submit this form. Initiate or continue activities necessary for the removal of NAPL at the site.
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Were all soils, recovered contaminated groundwater, and any non-aqueous phase liquids properly disposed of, treated, recycled or reused in accordance with TCEQ requirements? If No, stop here and do not submit this form. Provide a proposal (if the site is eligible for reimbursement) to properly dispose or otherwise manage the wastes/materials or, if the site is not eligible for reimbursement, provide documentation of proper disposition of the wastes.
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Do contaminant concentrations show a consistent decreasing or low static trend? If No, is the contaminant plume increasing in size? <input type="checkbox"/> Yes <input type="checkbox"/> No. If Yes, stop here and do not submit this form. Initiate activities to control plume migration.

**III. RELEASE ABATEMENT/REMEDIATION**

Date release discovered:	5/31/2000	
Substance(s) released:	<input checked="" type="checkbox"/> Gasoline <input type="checkbox"/> alcohol blended fuel <input type="checkbox"/> Diesel <input type="checkbox"/> Used Oil <input type="checkbox"/> <input type="checkbox"/> Aviation gas <input type="checkbox"/> Other <input type="checkbox"/> Jet fuel, type:	
Source of release:	<input checked="" type="checkbox"/> USTs <input type="checkbox"/> AST <input type="checkbox"/> Piping <input type="checkbox"/> Dispenser <input type="checkbox"/> Submersible Turbine Pump Area <input type="checkbox"/> Overfills/Spills <input type="checkbox"/> Unknown <input type="checkbox"/> Other	
Has a receptor survey been conducted?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Has a water well inventory been conducted?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Have vapor impacts to buildings or utility lines ever been associated with this release? If Yes, specify the measures taken to abate the impact and indicate the latest date that an impact was noted:		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Have subsurface utilities ever been affected with NAPL or vapors by this release? If Yes, indicate the latest date that an impact was noted:		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

III. RELEASE ABATEMENT/REMEDIATION, continued

If not already provided in *Release Determination Report Form* (TCEQ-0621), or if the information has changed since submittal of the *Release Determination Report*, indicate number of tanks currently and formerly located at this site (attach pages as necessary):

	Type UST/AST	Product Type	Size (gal.)	
Current:	UST	Gasoline	10,000	
	UST	Gas/Diesel	10,000	
Former:	Type UST/AST	Product Type	Size (gal.)	Date Removed From Service
	UST	Gas	8,000	5/31/2000
	UST	Gas	8,000	5/31/2000
	UST	Gas	6,000	5/31/2000
	UST	Diesel	8,000	5/31/2000

If the tanks were permanently removed from service, were native soil samples collected from beneath the tanks <b>and</b> the entire length of the piping? If No, explain why not:	X Yes <input type="checkbox"/> No
---	-----------------------------------

Was a new UST system installed? If Yes, indicate the date, number of tanks and their contents:	X Yes <input type="checkbox"/> No
--	-----------------------------------

Are there any open excavations at the site? If Yes, state size, location, purpose, and status for each of the excavations:	<input type="checkbox"/> Yes X No
--	-----------------------------------

Type(s) of soil remediation and time periods the remediation method was operational (indicate all that apply):

<input type="checkbox"/> Excavation <input type="checkbox"/> Soil Vapor Extraction <input type="checkbox"/> In-Situ Bioremediation <input type="checkbox"/> Disposal <input type="checkbox"/> Aboveground Bioremediation/Aeration <input type="checkbox"/> Thermal Treatment <input checked="" type="checkbox"/> None	Dates of operations:
---	----------------------

**III. RELEASE ABATEMENT/REMEDIATION, continued**

<input type="checkbox"/> Excavation <input type="checkbox"/> Soil Vapor Extraction <input type="checkbox"/> In-Situ Bioremediation <input type="checkbox"/> Disposal <input type="checkbox"/> Aboveground Bioremediation/Aeration <input type="checkbox"/> Thermal Treatment <input checked="" type="checkbox"/> None	Dates of operations:	
Were copies of all receipts and manifests to document disposition of all wastes submitted to the TCEQ? If No, attach copies to this form.		X Yes <input type="checkbox"/> No
Measured total volume of NAPL recovered, gallons:	n/a	
Estimated total volume of soil Treated/removed: cubic yards (exclude soil cuttings removed from borings).	n/a	
Estimated total volume of groundwater treated/removed: gallons (if known).	n/a	
Estimated pounds of hydrocarbons removed or treated from soil (if known):	n/a	
Estimated pounds of hydrocarbons removed or treated from groundwater (if known):	n/a	
Estimated percent of total contaminants removed or treated (if known):	n/a	

IV. SOIL DATA VALIDATION	
Are there now affected surface soils (contamination exceeding health-based target concentrations) present within 2 feet below the ground surface?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown
Type of surface cover over affected surface soil area:	<input checked="" type="checkbox"/> Paved ( <input type="checkbox"/> asphalt or <input checked="" type="checkbox"/> concrete) Percent of affected soils covered? 100% <input type="checkbox"/> Unpaved <input type="checkbox"/> Other
Is there public access to the uncovered affected surface soil area?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Total number of borings: (including those completed as monitor wells)	5
Was the vertical and horizontal extent of soil impacts defined (to the more stringent of health-based target or groundwater protective soil concentrations horizontally and to groundwater or nondetect vertically) by the borings?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Are shallow (0-15 feet below ground surface) soils affected (contaminant levels exceed health-based target concentrations) on adjacent properties (including right-of-way properties).	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Were all soil sample collection, handling, transport, and analytical procedures conducted in accordance with TCEQ and EPA requirements?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If No, provide justification:	

MAXIMUM SOIL CONCENTRATION LEVELS						
Soil Contaminants	Sample Date	Sample Location	Depth (ft.)	Analytical Method	Maximum Concentration (mg/kg)	Target Cleanup Goals
Benzene	5/31/2000	Tank 4 Bottom	10-12	EPA 8020	4.30	0.13
Toluene					5.90	69
Ethylbenzene					15.4	160
Total Xylenes					35.6	568
BTEX					61.2	n/a
TPH					3388	n/a
Other						

Enter maximum soil analytical results for soils remaining beneath the site (take into account all available data, including information obtained during the release determination (tank removal from service, minimal site assessment, etc)).

If Plan A cleanup goals were used, provide the potential groundwater beneficial use category and a justification of how it was determined in Section VI.

**V. GROUNDWATER DATA VALIDATION**

Is groundwater at the site impacted?		X Yes <input type="checkbox"/> No
Did the assessment document that groundwater was not impacted?		<input type="checkbox"/> Yes X No
If No or unsure, provide justification for not determining whether there is a groundwater impact:		
Total number of monitoring wells installed:		5
Number of monitor wells remaining at the site:		5
Will any of the remaining wells be used in the future?		<input type="checkbox"/> Yes X No
If yes, specify which wells will be used:		
If No, they must be plugged in accordance with Water Code 32.017 <b>after</b> obtaining approval for site closure. <b>Do not</b> plug the wells until you receive concurrence on site closure. Costs of well plugging may be allowable for reimbursement if all eligibility requirements are met and if the wells were installed under the direction of the TCEQ specifically to address the confirmed release at the site. Provide a proposal with this form (if the site is eligible for reimbursement) for costs of the well plugging.		
Measured total dissolved solids (TDS) concentration in groundwater:(mg/l)	691	
From which monitor well(s) was/were the sample(s) collected?	MW-1	
Measured groundwater yield at the site: gallons/day (as determined from well adequately screened in the impacted aquifer).		
	X Not determined.	
Measured groundwater depth at the site ranges between and feet below the top of well casing.	6.03' to 9.72'	
Time period of groundwater monitoring at the site (dates):	5/21/2008 thru 6/28/2010	
Total number of groundwater monitoring events:	seven	
What type of aquifer is impacted? (unconfined, confined, semi-confined):	Un-confined	
Distance and direction from maximum plume concentration point to nearest existing downgradient well: (Input ">0.5 mile" if there is no well within 0.5 mile downgradient)	800 sw	
Are any water supply wells impacted or immediately threatened?	<input type="checkbox"/> Yes X No	
If Yes, specify type of well:	<input type="checkbox"/> Drinking water <input type="checkbox"/> Non-drinking water	
Are there any existing water wells located within the area of impacted groundwater?	<input type="checkbox"/> Yes X No	
If Yes, specify type of well:	<input type="checkbox"/> Drinking water <input type="checkbox"/> Non-drinking water	

**V. GROUNDWATER DATA VALIDATION continued**

Has surface water been affected?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Will the groundwater contaminants likely discharge to a surface water body?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
What is the potential impact of affected groundwater discharge on surface water? “	<input type="checkbox"/> Current impact “ <input type="checkbox"/> Discharges within 500 ft. “ <input type="checkbox"/> Discharges within 500 to 0.25 miles <input checked="" type="checkbox"/> No potential impact	
Were groundwater sample collection, handling, transport, and analytical procedures conducted and documented in accordance with TCEQ requirements?:		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If no, provide justification		
Is the extent of groundwater contamination defined (to MCL concentrations)? If No, provide justification for not defining the plume: To the southwest		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Have groundwater impacts from this release been detected on adjacent properties?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If No, is off-site migration probable?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is there documentation that off-site migration has <b>not</b> occurred (sample results from off-site sampling point)? “		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Was the static groundwater level above the top of the well screen in any monitor wells during any of the last 4 monitoring events?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, provide a statement of validity regarding these samples:		
Have groundwater samples from all monitor wells met the target cleanup goals for the last four consecutive sampling events		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

**MAXIMUM GROUNDWATER CONCENTRATIONS, (From the most recent 12 months.)**

Groundwater Contaminants	Sample Date	Sample Location	Laboratory Method	Maximum (mg/l) Concentration	Target Cleanup Goals
MTBE	6/28/10	MW-4	EPA 8260B	0.35	0.36
Benzene	3/03/10	“	“	4.48	0.13
Toluene	6/28/10	“	“	0.02	69
Ethylbenzene	6/28/10	“	“	1.40	160
Xylenes	6/28/10	“	“	0.53	568
TPH	12/16/09	“	TX1005	10.4	n/a

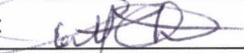
## VI. JUSTIFICATION FOR CLOSURE

Please provide a brief summary supporting this request for site closure, including footnoted discussions for the above entries as necessary. **Include discussions providing necessary justifications for any site conditions which deviate from the specific requirements of TCEQ rules and policies, including the document *Risk-Based Corrective Action for Leaking Storage Tank Sites*.** Provide documentation to justify case closure, including information which addresses the potential for future exposure, the existence of impervious cover or other actions which may prevent exposure or limit infiltration, the absence of receptors, etc.

The hydrocarbon plume is stable and showing signs of a declining trend. No construction health-based level have been exceeded since 5/31/2000 and no effects of the release have been documented in nearby surface water (Sandy Creek).

**VII. REPORT PREPARATION**

Based on the results of the site investigation and the additional information presented herein, I certify that the site investigation activities performed either by me, or under my direct supervision, including subcontracted work, were conducted in accordance with accepted industry standards/practices and further, that all such tasks were conducted in compliance with applicable TCEQ published rules, guidelines and the laws of the State of Texas. I have reviewed the information included within this report, and consider it to be complete, accurate and representative of the conditions discovered during the site investigation. I acknowledge that if I intentionally or knowingly make false statements, representations, or certifications in this report, I may be subject to administrative, civil, and/or criminal penalties. **I certify that the site has met all requirements for closure and that closure is appropriate.**

Project Manager: Scott C. Stephens	CAPM No.: 0215	Expiration Date: 3/31/11
Company: SCS Environmental Cons., Inc.		
Address: 202 N. Danville Street, Suite B		City: Willis
State: TX		Zip: 77378
Telephone No.: (281) 362-0007	Fax No.: (281) 362-0013	
Signature: 	Date: 7/9/10	

By my signature affixed below, I certify that I am the duly authorized representative of the Correction Action Specialist named and that I have personally reviewed the site investigation results and other relevant information presented herein and considered them to be in accordance with accepted standards/practices and in compliance with the applicable TCEQ published rules, guidelines and the laws of the State of Texas. Further, that the information presented herein is considered complete, accurate and representative of the conditions discovered during the site investigation. I acknowledge that if I intentionally or knowingly make false statements, representations, or certifications in this report, I may be subject to administrative, civil, and/or criminal penalties. **I certify that the site has met all requirements for closure and that closure is appropriate.**

Corrective Action Specialist:	CAS No.: 0798	Expiration Date: 12/21/11
Company: SCS Environmental Cons., Inc.		
Address: 202 N. Danville Street, Suite B		City: Willis
State: TX		Zip: 77378
Telephone No.: (281) 362-0007	Fax No.: (281) 362-0013	
Signature: 	Date: 7/9/10	

By my signature affixed below, I certify that I have reviewed this report for accuracy and completeness of information regarding points of contact and the facility and storage tank system history and status. I acknowledge that if I intentionally or knowingly make false statements, representations, or certifications in this report related to the contact information, and the facility and storage tank system history and status information, I may be subject to administrative, civil, and/or criminal penalties. I attest that I have reviewed this report for accuracy and completeness. I understand that I am responsible for addressing this matter. **I certify that the site has met all requirements for closure and that closure is appropriate.**

**ANNUAL GROUNDWATER  
MONITORING REPORT**

**Sandy Creek Resort and Campground  
11941 U.S. Highway 190 West  
Livingston, Texas**

**LPST # 115037**

**Prepared for:**

**Mr. LaNell Orsak  
11941 U.S. Highway 190 West  
Livingston, TX 77351**

**Prepared by:**

**SCS Environmental Consultants, Inc.  
Corrective Action Specialist # 798**

**June 2010**



**Scott C. Stephens, CAPM 00215**



**Received**

**AUG 06 2010**

**TCEQ  
Remediation Division**

**I. REPORT SUMMARY**

On behalf of the Responsible Party (RP), Ms. LaNell Orsak, SCS Environmental Consultants, Inc. (SCS) has prepared the following Annual Groundwater Monitoring Report for the final sampling event conducted during the 2009/2010 season. This report summarizes the quarterly monitoring activities conducted at the Sandy Creek Resort and Campgrounds (Figure 1).

This report includes an updated chronology of events, current groundwater level measurements, updated hydrocarbon distribution maps, groundwater gradient maps, as well as SCS's conclusions and recommendations. Based on plume delineation criteria, annual groundwater monitoring was required to demonstrate plume stability. The monitoring activities were approved by Trudy Hasan of Darcy Environmental, who represents the privatization group that currently serves the Texas Commission of Environmental Quality (TCEQ). The monitoring activities were originally approved on 9/9/2009 and later revised by Ms. Hasan on 4/12/10.

*3 instead of 4 quarters*

Three quarters of groundwater monitoring were conducted for wells MW-1 thru MW-5 from December 2009 through June of 2010. The surface water sampling was conducted during the third and final monitoring event. A comparison of the four events has indicated an overall decrease and or stabilization of BTEX/MTBE and TPH constituents in all monitoring wells.

No detectable concentrations of hydrocarbon constituents were identified from the nearby surface water (Sandy Creek) that was collected during the final monitoring event. ✓

An overall decrease of MTBE/BTEX constituents in wells MW-1 and MW-5 suggests that the dissolved-phase plume is stable and decreasing in size. SCS is recommending that final site closure be approved for Sandy Creek Resort and Campgrounds.

A copy of the final site closure request is included in Appendix B.

## **II. CHRONOLOGY OF EVENTS**

- 5/31/00: Two 6,000 and two 8,000 gallon USTs were permanently removed from service. Native soil samples exhibited hydrocarbons above the TCEQ action levels.
- 04/24/01: Llano-Permian Environmental conducted a Plan A Site Assessment including the installation of three monitoring wells. Groundwater impacts were documented during the assessment activity.
- 05/21/08: SCS conducted a one-time groundwater sampling event to verify water impacts.
- 08/26/08: SCS installed MW-4 and collected water samples that confirmed benzene impacts moving toward Sandy Creek. SCS submitted a revised Plan A Assessment Report.
- 08/27/08: SCS conducted the first quarterly groundwater monitoring event.
- 11/25/08: SCS conducted the second sampling event (MW-1 thru 4) and tested the onsite drinking water well (DW-1).
- 02/16/09: SCS installed cross gradient well MW-5 located between source area and nearest POE known as the on-site drinking water well.
- 02/17/09: SCS conducted the third sampling event that included MW-5.
- 05/14/09: SCS conducted the fourth sampling event that included the collection of a surface water sample (SW-1) from Sandy Creek. Annual Groundwater Report was submitted in June 2009.
- 09/09/09: SCS received approval from the TCEQ to perform quarterly groundwater monitoring activities at the Sandy Creek Resort & Campgrounds.
- 12/16/09: SCS conducted the first quarterly groundwater monitoring event that included the sampling of Wells MW-4 & MW-5 only.
- 03/03/10: SCS conducted the second quarterly groundwater monitoring event that included the sampling of Wells MW-4 & MW-5 only.
- 06/28/10: SCS conducted the third sampling event that included the sampling of all wells and a surface water sample (SW-1) from Sandy Creek. Annual Groundwater Report and Site Closure Request was submitted in July 2010.

### **III. MONITORING DATA**

SCS has completed the quarterly groundwater monitoring activities at 11941 U.S. Highway 190 West, Livingston, Texas for the year 2009/2010. Cumulative groundwater elevation measurements are summarized in Table 1.

A hydraulic gradient map containing updated groundwater elevations is included as Figure 2. Based on plume delineation criteria, annual groundwater monitoring was required to demonstrate plume stability. The monitoring activities were approved by Trudy Hasan of Darcy Environmental, who represents the privatization group that currently serves the Texas Commission of Environmental Quality (TCEQ). The monitoring activities were originally approved on 9/9/2009 and later revised by Ms. Hasan on 4/12/10.

Three quarters of groundwater monitoring were conducted at the Sandy Creek Resort and Campground from December 2009 thru June 2010. Laboratory results and their respective chain of custodies can be found in Appendix A along with a summary of the analytical results in Table 2.

Data collected during the annual monitoring activities suggests that the dissolved-phase hydrocarbon plume is stable and decreasing in size due to the overall decrease in MTBE/BTEX constituents in all wells.

No wells measured water levels above screened intervals during the quarterly monitoring activities. ✓

### **IV. CONCLUSIONS AND RECOMMENDATIONS**

An overall decrease of MTBE/BTEX constituents in wells MW-1 and MW-5 suggests that the dissolved-phase plume is stable and decreasing in size. SCS is recommending that final site closure be approved for Sandy Creek Resort and Campgrounds.

A copy of the final site closure request is included in Appendix B.

**SUMMARY OF GROUNDWATER ANALYTICAL RESULTS  
SANDY CREEK RESORT AND CAMPGROUND  
11941 HWY 190 WEST  
LIVINGSTON, TX**

All data was compiled by SCS Environmental Consultants, Inc.

Sample Location	Date Sampled	TPH (ppm)	MTBE (ppm)	Benzene (ppm)	Toluene (ppm)	Ethylbenzene (ppm)	Xylenes (ppm)
*MW-1	4/24/2001	5	0.58	2.85	0.0133	0.211	0.0405
"	5/21/2008	9.24	0.135	1.51	0.0143	0.283	0.047
"	8/27/2008	NA	0.0798	1.49	<0.0097	0.452	<0.027
"	11/25/2008	NA	<0.005	0.297	<0.009	0.058	<0.027
"	2/17/2009	NA	0.0469	0.233	0.0044	0.0169	0.0076
"	5/14/2009	NA	0.038	0.096	0.003	0.007	0.007
"	6/28/2010	↓ 2.83 ✓	0.065 ✓	0.625 ✓	0.015	0.092	0.049
MW-2	4/24/2001	15	1.01	0.942	0.204	0.949	1.63
"	5/21/2008	8.93	0.083	0.801	0.0184	1.56	0.77
"	8/27/2008	NA	0.0571	0.697	<0.0097	1.21	0.20
"	11/25/2008	NA	<0.005	0.555	<0.009	1.16	0.18
"	2/17/2009	NA	0.05	0.578	0.0324	1.10	0.24
"	5/14/2009	NA	<0.005	0.766	0.015	1.33	0.37
"	6/28/2010	9.34 ✓	0.032 ✓	0.642 ✓	0.011	1.4	0.32
MW-3	4/24/2001	<5	0.0018	0.0092	<0.005	0.0222	0.01
"	5/21/2008	4.44	0.0375	<0.0004	0.0007	0.0008	0.0042
"	8/27/2008	NA	0.0305	0.0027	0.0012	0.0045	0.0022
"	11/25/2008	NA	0.028	0.0022	<0.0004	0.0036	<0.001
"	2/17/2009	NA	0.0169	<0.00046	<0.00048	<0.00045	<0.0014
"	5/14/2009	NA	0.035	<0.002	<0.002	<0.002	<0.006
"	6/28/2010	0.58 ✓	0.02 ✓	0.013	0.002	0.001	0.048
MW-4	8/27/2008	14.4	0.848	8.06	0.0319	0.547	0.42
"	11/25/2008	16.7	0.828	5.60	<0.048	0.472	0.47
"	2/17/2009	15.8	0.582	4.51	<0.048	0.505	0.64
"	5/14/2009	15.2	0.666	5.12	<0.048	0.521	0.51
"	12/16/2009	10.4	0.53	3.47	0.025	0.455	0.33
"	3/3/2010	↓ 7.99	0.116	4.48	<0.200	0.800	0.46
"	6/28/2010	8.89 ✓	0.353 ✓	3.96 ✓	0.029	0.761	0.539
MW-5	2/17/2009	<0.31	<0.00026	<0.00046	<0.00048	<0.00045	<0.0014
"	5/14/2009	1.91	<0.00026	<0.00046	<0.00048	<0.00045	<0.0014
"	12/16/2009	<2.5	<0.002	<0.002	<0.002	<0.002	<0.006
"	3/3/2010	<2.5 ✓	<0.002 ✓	<0.002 ✓	<0.002	<0.002	<0.006

<15 ppm  
TPH  
3 events

stable

clean

"	6/28/2010	<2.5 ✓	<0.002 ✓	<0.002 ✓	<0.002 ✓	<0.002	<0.006
Sandy Creek Surface Water	11/25/2008	<2.5	<0.0002	<0.0004	<0.0004	<0.0004	<0.001
"	3/3/2010	<2.5	<0.0002	<0.0002	<0.0002	<0.0002	<0.006
"	6/28/2010	<2.5 ✓	<0.002 ✓	<0.002 ✓	<0.002 ✓	<0.002	<0.006
Purge Water	4/24/2001	<5	0.398	1.07	0.0393	0.247	0.37
SUPPLY	11/25/2008	<0.31	<0.0002	<0.0004	<0.0004	<0.0004	<0.001
	5/14/2009	<0.31	<0.0002	<0.0004	<0.0004	<0.0004	<0.001

Notes: \* Total Dissolved Solids= 691ppm

ppm = parts per million

*Detection Limits: Varies as specified*

MW = Monitor Well      MTBE = methyl tertiary butyl ether

US HWY 190



CONCRETE

CONCRETE

MW-3

(92.45' amsl.)

MW-1

(92.32' amsl.)

PRODUCT LINE

PUMP ISLANDS

CONCRETE

FORMER  
TANKPIT

MW-2  
(92.51' amsl.)

GRASS

MW-4

(91.53' amsl.)

CURRENT  
TANKPIT

SANDY CREEK  
RESORT AND  
CAMPGROUND

CONCRETE

WATER LINE

CAMPSITES

CONCRETE

GRASS

GRASS

GRASS

GRASS

WATER LINE

MW-5

(92.09' amsl.)

WATER LEVEL MEASUREMENTS COLLECTED ON 6/28/10

SCALE: 1"=40'

Legend



BUILDING



MONITORING WELL

(#)

GROUNDWATER ELEVATION

GROUNDWATER GRADIENT

SANDY CREEK RESORT

11941 W. HWY 190

LIVINGSTON, TEXAS



ENVIRONMENTAL CONSULTANTS, INC.

OVERHEAD POWER LINES

SANDY CREEK

US HWY 190



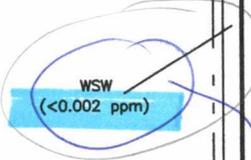
CONCRETE

CONCRETE

OVERHEAD POWER LINES

MW-3  
( $<0.064$  ppm)

MW-1  
( $0.781$  ppm)

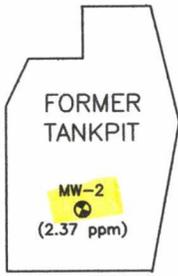


WSW  
( $<0.002$  ppm)

PRODUCT LINE

PUMP ISLANDS

CONCRETE



MW-2  
( $2.37$  ppm)

MW-4  
( $5.28$  ppm)

GRASS



CURRENT TANKPIT

SANDY CREEK RESORT AND CAMPGROUND

CAMPsites

CONCRETE

GRASS

WATER LINE

GRASS

GRASS

WATER LINE

GRASS

MW-5  
( $<0.002$  ppm)

WATER SAMPLES COLLECTED ON 6/28/10

SCALE: 1"=40'

Legend	
	BUILDING
	MONITORING WELL
( # )	BTEX CONCENTRATIONS
WSW	SURFACE WATER

BTEX CONCENTRATIONS IN WATER

SANDY CREEK RESORT  
11941 W. HWY 190  
LIVINGSTON, TEXAS

SCS ENVIRONMENTAL CONSULTANTS, INC.

*See revised map*

US HWY 190



CONCRETE

CONCRETE

OVERHEAD POWER LINES

MW-3  
(<0.58 ppm)

MW-1  
(2.83 ppm)

WSW  
(<2.5 ppm)

PRODUCT LINE

PUMP ISLANDS

CONCRETE

FORMER  
TANKPIT

GRASS

CURRENT  
TANKPIT

SANDY CREEK  
RESORT AND  
CAMPGROUND

MW-2  
(9.34 ppm)

MW-4  
(8.89 ppm)

CONCRETE

GRASS

WATER LINE

GRASS

CAMP SITES

GRASS

WATER LINE

GRASS

SANDY CREEK

MW-5  
(<2.5 ppm)

WATER SAMPLES COLLECTED ON 6/28/10

SCALE: 1"=40'

Legend

-  BUILDING
-  MONITORING WELL
- ( # ) TPH CONCENTRATIONS
- WSW SURFACE WATER

TPH CONCENTRATIONS IN WATER

SANDY CREEK RESORT  
11941 W. HWY 190  
LIVINGSTON, TEXAS

SCS ENVIRONMENTAL CONSULTANTS, INC.

PST\_15876\_CP\_20210121\_Investigation  
**Texas Commission on Environmental Quality**  
**Investigation Report**

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**Customer: 190HWY, Inc.**  
**Customer Number: CN601448491**

**OFFICE TO**  
**FEB 26 2021**  
**AUSTIN**

**Regulated Entity Name: SANDY FOOD MART**  
**Regulated Entity Number: RN102860558**

**Investigation #** 1700888

**Incident Numbers**

**Investigator:** DAVID KING

**Site Classification** UNDERGROUND STORAGE  
TANK - REGISTRATION

**Conducted:** 01/21/2021 -- 01/21/2021

**No Industry Code Assigned**

**Program(s):** PETROLEUM STORAGE TANK REGISTRATION

**Investigation Type:** Compliance Investigation

**Location:**

**Additional ID(s):** 15876

**Address:** 11941 US HIGHWAY 190 W,  
LIVINGSTON, TX , 77351

**Local Unit:** REGION 10 - BEAUMONT

**Activity Type(s):** COV - Flag code for activities which were modified due to restrictions related to COVID-19. Should only be used with activities used to meet federal commitments for CAA, TPDES, PWS, RCRA, or Energy Act.  
PST TXLED - PST Texas  
Low-Emission Diesel Fuel  
PSTEACT - PST Energy Act Focused Investigation

**Principal(s):**

<b>Role</b>	<b>Name</b>
RESPONDENT	190HWY INC
RESPONDENT	STUBBS PETROLEUM CO LTD
RESPONDENT	SAI PETROLEUM INC

**Contact(s):**

<b>Role</b>	<b>Title</b>	<b>Name</b>	<b>Phone</b>
PARTICIPATED IN	UST CONTRACTOR	MR RICHARD INGLE	Cell (832) 265-4213
			Phone (832) 265-4213
			Work (832) 265-4213
REGULATED ENTITY CONTACT	FACILITY MANAGER	MR NITTIN ANKOLEKAR	Phone (936) 447-0031

**Other Staff Member(s):**

<b>Role</b>	<b>Name</b>
Supervisor	CHARLES ADAMS III
QA Reviewer	JILL PICKETT

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### Associated Check List

<u>Checklist Name</u>	<u>Unit Name</u>
PST ENERGY ACT FOCUSED INVESTIGATION - revised 12/2014	15876
PST EPA TECHNICAL COMPLIANCE RATE (TCR)	15876
PST FOCUSED INVESTIGATION - TXLED	15876

#### Investigation Comments:

##### INTRODUCTION

On January 21, 2021, Mr. David King, Texas Commission on Environmental Quality (TCEQ) Region-10 Environmental Investigator, conducted a Petroleum Storage Tank (PST) Energy Act (EACT) Focused Investigation of Sandy Food Mart (PST Facility ID: 15876) located at 11915 US Hwy. 190 W., in Livingston (Polk County), Texas. As a result of the TCEQ's response to COVID-19, the investigation was conducted primarily through a records request, with an abbreviated, no-contact site visit.

Mr. Nittin Ankolekar, Facility Manager, received notification of the investigation on January 7, 2021.

##### BACKGROUND

A review of the Consolidated Compliance and Enforcement Data System (CCEDS) revealed that on May 3, 2018, a PST EACT Focused Investigation was conducted at the facility by University of Texas at Arlington (UTA) contractor Tasnuva Islam (see Investigation No: 1484919). No violations were documented during the investigation.

##### GENERAL FACILITY AND PROCESS INFORMATION

TCEQ Central Registry and the Permitting and Registration Information System (PARIS) list the facility owner and operator as Sai Petroleum Inc. The Texas Secretary of State (SOS) website lists Judy Smith as the Registered Agent of Sai Petroleum, Inc., with a business mailing address of 17805 Highway 105 E, Conroe, Texas.

The underground storage tank (UST) system consists of two (2) active USTs installed on April 18, 2001. Tank IDs: 1 & 2 (10,000 gallon) are listed as single wall composite tanks with associated single wall fiberglass-reinforced plastic (FRP) pressurized piping. The existing tanks are listed as "In Use" and were last self-certified as compliant with technical standards and financial assurance requirements on November 9, 2020.

##### Summary of investigation:

On January 14, 2021, Mr. Richard Ingle, UST Contractor with A.C.T., submitted by email requested compliance documentation (Attachment 1).

An abbreviated on-site investigation was conducted on January 21, 2021 (Attachment 2).

**DELIVERY CERTIFICATE:** A current delivery certificate was observed with an expiration date of August 2021.

**FINANCIAL ASSURANCE:** Available documentation indicates that financial assurance is provided by Philadelphia Insurance Companies. Policy No [REDACTED] expires on October 22, 2021.

**CORROSION PROTECTION:** The facility registration lists corrosion protection as composite tanks and FRP (noncorrodible) piping. Documentation provided verifies the installation of composite tanks and FRP (noncorrodible) piping. No issues were noted.

**TANK/PIPING RELEASE DETECTION:** The facility utilizes Automatic Tank Gauge (ATG) tests and Inventory Control for tank release detection and annual piping tightness test (@ 0.1 gph) for piping release detection.

The investigator reviewed twelve (12) months of ATG test records (February 2020 – January 2021) and twelve (12) months of Inventory Control records (January – December 2020). No issues were noted. Documentation was provided verifying that a successful annual piping tightness test was conducted on February 29, 2020 by STR

**SANDY FOOD MART - LIVINGSTON**

1/21/2021 Inv. # - 1700888

Page 3 of 4

Stage I Testing. Release detection records did not indicate a suspected release.

**SPILL/OVERFILL PREVENTION:** The facility registration indicates that factory-built spill buckets and flow restrictor valves (ball floats) are installed for spill and overfill prevention. The investigator observed that spill buckets have been installed. Flappers were not observed. The investigator was provided documentation verifying that ball floats are installed.

**OPERATOR TRAINING:** The investigator observed a current Class A/B Operator training certificate for Mr. Nitin Ankolekar issued by PASS Training & Compliance, on October 18, 2020. A current list of trained Class C Operators was also maintained by the facility.

Summary of exit interview conference:

An Exit Interview/Records Request form noting requests for document submittal was discussed and emailed to Mr. Ankolekar on January 22, 2021 (Attachment 3).

Records Requested:

Copies of diesel fuel transfer documents showing sale of low-emission diesel

**ADDITIONAL INFORMATION:**

On January 24, 2021, the investigator received via email from Mr. Ingle diesel fuel delivery documents demonstrating compliance with low-emission diesel standards (Attachment 4).

**CONCLUSION:**

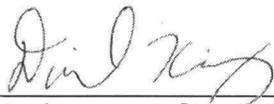
No violations were documented during this investigation. A General Compliance with Certain Requirements letter will be issued to Mr. Nittin Ankolekar, Facility Manager of Sandy Food Mart, as a result of the investigation.

Attachments:

- 1.) Investigation Documents.
- 2.) Photographic Documentation.
- 3.) TCEQ Exit Interview/Records Request Form.
- 4.) Compliance Documents.

**No Violations Associated to this Investigation**

Signed



Environmental Investigator

Date 2/9/2021

Signed

Charlie Adams III

Supervisor

Date 2/22/21

**PHOTOGRAPHIC DOCUMENTATION**

Regulated Entity:	RN102860558	Inspection Date:	1/21/2021	County:	Polk
Facility Name:	Sandy Food Mart	TCEQ Investigator:	David King		



Sandy Food Mart  
PST ID: 15876  
11941 US Hwy. 190 W.,  
Livingston, Texas 77351

Overview of facility.



Tank area overview.

# PHOTOGRAPHIC DOCUMENTATION

Regulated Entity:	RN102860558	Inspection Date:	1/21/2021	County:	Polk
Facility Name:	Sandy Food Mart	TCEQ Investigator:	David King		



First fill port, with spill bucket.



Second fill port, with spill bucket.

**PHOTOGRAPHIC DOCUMENTATION**

Regulated Entity:	RN102860558	Inspection Date:	1/21/2021	County:	Polk
Facility Name:	Sandy Food Mart	TCEQ Investigator:	David King		



Third fill port, with spill bucket.

PST\_15876\_CP (20180503) INVESTIGATION  
**Texas Commission on Environmental Quality**  
**Investigation Report**

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**Customer: Midway Petroleum Group, LP**  
**Customer Number: CN604165878**

**P 05/03/2023**

**Regulated Entity Name: MIDWAY 22**

**Regulated Entity Number: RN102860558**

<b>Investigation #</b> 1484919	<b>Incident Numbers</b>
<b>Investigator:</b> TASNUVA ISLAM	<b>Site Classification</b> UNDERGROUND STORAGE TANK - REGISTRATION
<b>Conducted:</b> 05/03/2018 -- 05/03/2018	<b>No Industry Code Assigned</b>
<b>Program(s):</b> PETROLEUM STORAGE TANK REGISTRATION	
<b>Investigation Type:</b> Compliance Investigation	<b>Location:</b>
<b>Additional ID(s):</b> 15876	
<b>Address:</b> 11941 U S HIGHWAY 190 W, LIVINGSTON, TX , 77351	<b>Local Unit:</b> EPA PST ARLINGTON
	<b>Activity Type(s):</b> PSTEACT - PST Energy Act Focused Investigation

**Principal(s):**

Role	Name
RESPONDENT	MIDWAY PETROLEUM GROUP LP
RESPONDENT	MIDWAY STORES INC

**Contact(s):**

Role	Title	Name	Phone
PARTICIPATED IN	CASHIER	MR CAMMY BIVENS	Work (936) 646-7410
NOTIFIED	COMPLIANCE OFFICER	MS CATHERINE WILLIAMS	Work (936) 856-6700
REGULATED ENTITY CONTACT	COMPLIANCE OFFICER	MS CATHERINE WILLIAMS	Phone (936) 646-7410 Work (936) 856-6700
REGULATED ENTITY MAIL CONTACT	COMPLIANCE OFFICER	MS CATHERINE WILLIAMS	Work (936) 856-6700

**Other Staff Member(s):**

Role	Name
QA Reviewer Supervisor	DONNA PERRIN
QA Reviewer	KENNETH AUSBIE
	ELIZABETH VANDERWERKEN

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**Associated Check List**

<u>Checklist Name</u>	<u>Unit Name</u>
PST ENERGY ACT FOCUSED INVESTIGATION - revised 12/2014	FAC15876
PST EPA SOC	FAC15876

**Investigation Comments:**

**INTRODUCTION:**

On May 03, 2018, Ms. Tasnuva Islam, TCEQ Contract Investigator, with the University of Texas-Arlington Petroleum Storage Tank (PST) Program conducted a PST Focused Energy Act Investigation at Midway 22 located at 11941 US Highway 190 W in Livingston (Polk County), Texas.  
Facility ID: 15876

On April 25, 2018, the investigator communicated via phone and e-mail with Ms. Catherine Williams, Compliance Officer with Midway Petroleum Group LP, and scheduled the investigation for May 03, 2018 at 8:00 AM. Ms. Catherine Williams was provided with a list of the compliance documentation requested for the investigation.

**GENERAL FACILITY AND PROCESS INFORMATION:**

The facility operates as a retail convenience facility.

According to Central Registry, the regulated entity consists of two (2) Underground Storage Tanks (USTs) that were installed in April 18, 2001. The USTs are registered as single-walled, composite tanks.

Tank 1 has the capacity of 10,000 gallons and stores regular unleaded gasoline.  
Tank 2 has two compartments with a total capacity of 10,000 gallons: Compartment 2A has a capacity of 5,000 gallons and stores super unleaded gasoline, and compartment 2B has a capacity of 5,000 gallons and stores diesel fuel.

All product lines are registered as single-walled, Fiberglass-Reinforced Plastic (FRP), pressurized lines.

**REGISTRATION:**

Two USTs are currently registered and self-certified with the TCEQ.

**BACKGROUND:**

On March 13, 2012, Mr. Albert Lloyd with the UTA PST Program (TCEQ Contractor) conducted an investigation of the above-referenced facility to evaluate compliance with applicable regulations pertaining to Petroleum Storage Tank (PST) management. No violations were documented as a result of this investigation. (CCEDS Investigation 1002289)

**ADDITIONAL INFORMATION:**

During the on-site investigation and review of the facility's records, the following findings were determined:

**MONTHLY THROUGHPUT:**

According to the monthly inventory control provided by the regulated entity; the average monthly throughput over a three month period was 23,000 gallons. This facility is considered a minor facility because the throughput is less than 50,000 gallons of through put per month.

**DELIVERY CERTIFICATE:**

The TCEQ Delivery Certificate has an expiration date of May 31, 2018. The Delivery Certificate was posted at the facility. Two USTs were included on the Delivery Certificate.

**FINANCIAL ASSURANCE:**

Financial Assurance mechanism utilized by this UST system is insurance provided by Nautilus Insurance Company. This insurance company has issued liability insurance for taking corrective action and compensating third parties for bodily injury and property damage caused by accidental releases. The limits of liability are \$1,000,000 per occurrence and \$2,000,000 annual aggregate arising from operating the underground storage tanks included in the policy. The policy is effective as of November 14, 2017 and will expire on November 14, 2018. Two USTs are included in this insurance policy.

**CORROSION PROTECTION:**

The facility provided tank material verification in the form of a letter from Geo Environmental Consultants, Inc., dated July 30, 2016. According to the letter, the two tanks are composite tanks and do not require cathodic protection.

**TANK MONTHLY RELEASE DETECTION:**

Tank release detection is provided by Monthly Inventory Control (MIC) and Automatic Tank Gauge (ATG).

**-Monthly Inventory Control (MIC):**

Ms. Catherine Williams provided a copy of the MIC records from April 2017 to April 2018. The investigator documented that the regulated entity was conducting the MIC correctly for all USTs. The monthly over/short was within the allowable for each month for all USTs.

**-Automatic Tank Gauge (ATG):**

Ms. Catherine Williams submitted a copy of the ATG 0.2 gallon per hour (gph) monthly test results for each UST for April 2017 to May 2018. All tanks received a passing result for each month not to exceed 35-days between passing results.

**PIPING RELEASE DETECTION:**

The regulated entity has mechanical Line Leak Detectors (LLDS) installed on all USTs. Mechanical LLDs are currently non-exempt from the TCEQ regulations for the annual line leak detector test.

The regulated entity provided an annual line tightness and LLD test conducted by City Survey Company on November 28, 2018. The line and LLDs had passing results.

**SPILL AND OVERFILL:**

Each tank was equipped with a tight-fill fitting.

Three spill buckets were installed. The investigator documented that the spill buckets were maintained in good operating condition; free of visible cracks or damage that would prevent them from being liquid tight. The investigator documented that the regulated entity was conducting the 60-day inspection of the spill buckets and maintained a record.

The facility provided documentation from Geo Environmental Consultants dated July 30, 2016 which indicated that the tanks are equipped with ball floats as their overfill protection.

**SUSPECTED OR CONFIRMED RELEASES:**

The investigator found no evidence of a suspected or confirmed release as a result of this investigation.

**OPERATOR TRAINING:**

Mr. Manjeet Singh submitted received the Class A/B Operator training on June 15, 2015 from TCPA and it will expire on June 15, 2018.

The investigator observed the Class C Operator training records for all of the employees on-site.

CONCLUSION:

No violations were documented during this investigation. A General Compliance (GC) letter has been issued as a result of this investigation and will be sent to Ms. Catherine Williams, Compliance Officer.

Attachments:

- 1. Focused Checklist
- 2. Ball float verification
- 3. Photographs
- 4. Site Diagram

**No Violations Associated to this Investigation**

Signed Tasnuva Islam

Digitally signed by Tasnuva Islam  
DN: cn=Tasnuva Islam, o, ou,  
email=tasnuva.islam@uta.edu, c=US  
Date: 2018.05.31 10:04:17 -05'00'

Date 05/31/2018

**Environmental Investigator**

Signed Kenneth Ausbie



Date MAY 22 2018

**Supervisor**

**Attachments: (in order of final report submittal)**

- Enforcement Action Request (EAR)
- Letter to Facility (specify type) : FOCUSED
- Investigation Report
- Sample Analysis Results
- Manifests
- Notice of Registration

- Maps, Plans, Sketches
- Photographs
- Correspondence from the facility
- Other (specify) :

\_\_\_\_\_  
\_\_\_\_\_

# SITE DIAGRAM

Facility Name: MIDWAY 22

Facility ID: 15876

Date

5/2/2018

Investigator

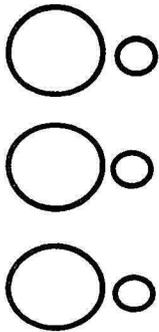
TASNUVA ISLAM



UNIVERSITY OF  
**TEXAS**  
ARLINGTON  
Division for Enterprise Development



190 US



MIDWAY 22

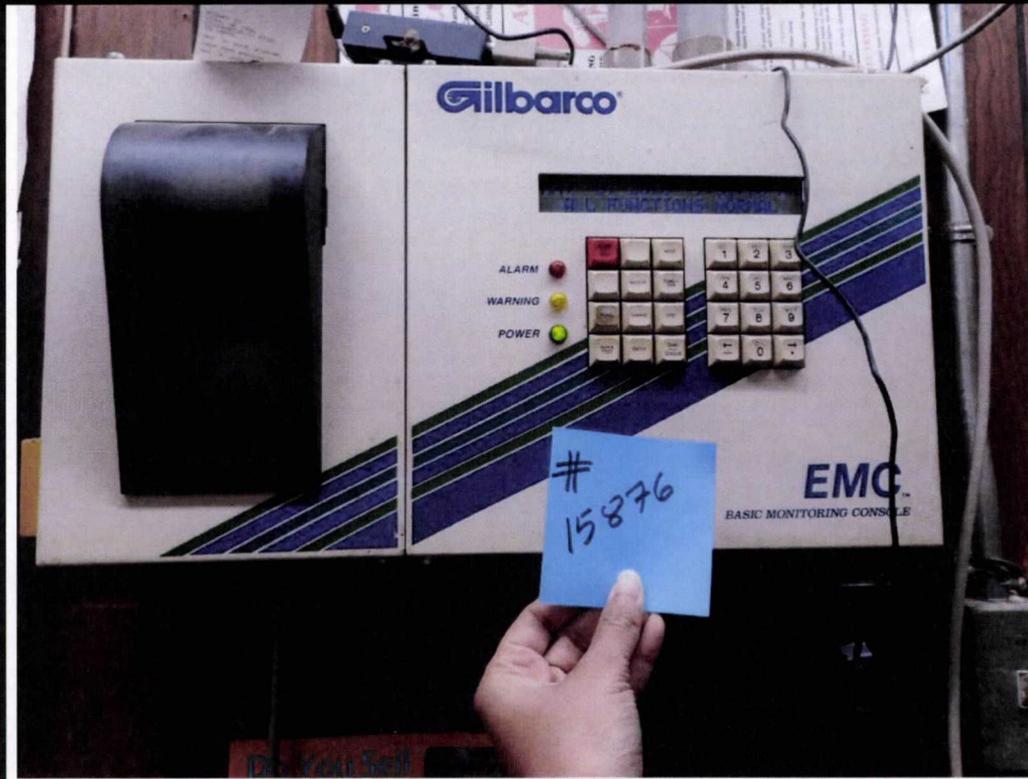
The University of Texas at Arlington  
Center for Environmental Excellence

Additional Notes:

Not to Scale. This drawing is part of the inspection checklist.

# UTA PST PHOTOGRAPHIC DOCUMENTATION

Facility ID No.:	15876	Regulated Entity:	MIDWAY 22		
Investigation Date:	05/02/2018	Photographer:	TASNUVA ISLAM	County:	POLK



SUBJECT: ATG

COMMENTS: monitoring the tanks

PHOTO # 1



SUBJECT: Spill bucket

COMMENTS: Ball float

PHOTO # 2

**APPENDIX V**

**INTERVIEWS / ADDITIONAL INFORMATION**

### ASTM Transaction Screen Questionnaire (Owner/Seller Questionnaire)

<b>Property Name and Address:</b> 11941 US HWY 190 W LIVINGSTON TX 77351			
<b>Consultant Name:</b> Phase Engineering, LLC		<b>Report No.:</b>	
<p><b>Instructions:</b> Please submit this form via email to <a href="mailto:Diana@PhaseEngineering.com">Diana@PhaseEngineering.com</a>. If you have any questions, please call 832-485-2225. To submit by fax, send to Diana at 281-200-0060.</p> <p>To fill out this form for email submission, select only one answer per question. Explain any "Yes" answers and/or supporting details in the comment space provided at the end of the questionnaire.</p>			
<b>Please explain all "Yes" answers in the Comments section at the end.</b>			
	<b>YES</b>	<b>NO</b>	<b>Unknown</b>
1. Have you observed any evidence or do you have any prior knowledge that the <i>property</i> is used or has been used, in the past, as a gasoline station, motor repair facility, commercial printing facility, dry cleaners, photo developing laboratory, junkyard or landfill, or as a waste treatment, storage, disposal, processing, recycling facility, or chemical processing/manufacturing?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Have you observed any evidence or do you have any prior knowledge that any <i>adjoining property</i> is used or has been used, in the past, as a gasoline station, motor repair facility, commercial printing facility, dry cleaners, photo developing laboratory, junkyard or landfill, or as a waste treatment, storage, disposal, processing, or recycling facility?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Have you observed any evidence or do you have any prior knowledge that there are currently or have been previously, any damaged or discarded automotive or industrial batteries, pesticides, paints, or other chemicals in individual containers of greater than 5 gal (19 L) in volume or 50 gal (190 L) in aggregate, stored on or used at the <i>property</i> or at the facility?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Have you observed any evidence or do you have any prior knowledge that there are currently or have been previously, industrial <i>drums</i> (typically 55 gal (208 L)) or sacks of chemicals located on the <i>property</i> or at the facility?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Did you observe evidence or do you have any prior knowledge that <i>fill dirt</i> has been brought onto the <i>property</i> that originated from a contaminated site or that originated from an unknown site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Have you observed any evidence or do you have any prior knowledge that there are currently or have been previously, any <i>pits, ponds, or lagoons</i> located on the <i>property</i> in connection with waste treatment or waste disposal?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Have you observed any evidence or do you have any prior knowledge that there is currently or has been previously any stained soil on the <i>property</i> ?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Have you observed any evidence or do you have any prior knowledge that there are currently or have been previously, any registered or unregistered storage tanks (above or underground) located on the <i>property</i> ?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Have you observed any evidence or do you have any prior knowledge that there are currently or have been previously, vent pipes, fill pipes, or access ways indicating a fill pipe protruding from the ground on the <i>property</i> or adjacent to any structure located on the <i>property</i> ?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please email completed form to [Diana@PhaseEngineering.com](mailto:Diana@PhaseEngineering.com). If you have any questions, please call (832) 485-2225.

<b>Please explain all "Yes" answers in the Comments section at the end.</b>	<b>YES</b>	<b>NO</b>	<b>Unknown</b>
10. Have you observed any evidence or do you have any prior knowledge that there is currently or has been previously, any evidence of leaks, spills or staining by substances other than water, or foul odors, associated with any flooring drains, walls, ceilings, or exposed grounds on the property?	X		
11. If the <i>property</i> is served by a private well or non-public water system, is there any evidence or do you have prior knowledge that contaminants been identified in the well or system that exceed guidelines applicable to the water system?		X	
12. If the <i>property</i> is served by a private well or non-public water system, is there any evidence or do you have prior knowledge that the well has been designated as contaminated by any government environmental/health agency?		X	
13. Does the <i>owner</i> , or <i>occupant</i> of the <i>property</i> have any knowledge of <i>environmental liens</i> or governmental notification relating to past or recurrent violations of environmental laws with respect to the <i>property</i> or any facility located on the <i>property</i> ?		X	
14. Has the <i>owner</i> or <i>occupant</i> of the <i>property</i> been informed of any past or current existence of <i>hazardous substances</i> or <i>petroleum products</i> with respect to the <i>property</i> or any facility located on the <i>property</i> ?	X		
15. Has the <i>owner</i> or <i>occupant</i> of the <i>property</i> been informed of the current existence of environmental violations with respect to the <i>property</i> or any facility located on the <i>property</i> ?		X	
16. Does the <i>owner</i> or <i>occupant</i> of the <i>property</i> have any knowledge of any <i>environmental site assessment</i> of the <i>property</i> or facility that indicated the presence of <i>hazardous substances</i> or <i>petroleum products</i> on, or contamination of, the <i>property</i> or recommended further assessment of the <i>property</i> ?	X		
17. Does the <i>owner</i> or <i>occupant</i> of the <i>property</i> know of any past, threatened, or pending lawsuits or administrative proceedings concerning a release or threatened release of any <i>hazardous substance</i> or <i>petroleum products</i> involving the <i>property</i> by any <i>owner</i> or <i>occupant</i> of the <i>property</i> ?		X	
18. Does the <i>property</i> discharge <i>wastewater</i> (not including sanitary waste or storm water) onto or adjacent to the <i>property</i> and/or into a storm water system or sanitary sewer system?		X	
19. Did you observe evidence or do you have any prior knowledge that any <i>hazardous substances</i> or <i>petroleum products</i> , unidentified waste materials, tires, automotive or industrial batteries or any other waste materials been dumped above grade, buried and/or burned, on the <i>property</i> ?		X	
20. Is there a transformer, capacitor, or any hydraulic equipment for which there are any records indicating the presence of Polychlorinated biphenyls (PCBs)?		X	
21. Have you observed or do you have any prior knowledge that there are currently or have been, in the past, any water wells, oil and gas wells, monitoring wells, injection wells, or pipelines on the <i>property</i> .	X		

Please email completed form to [Diana@PhaseEngineering.com](mailto:Diana@PhaseEngineering.com). If you have any questions, please call (832) 485-2225.

Please explain all "Yes" answers in the Comments section at the end.	YES	NO	Unknown
22. Have you observed or do you have any prior knowledge that there are currently or have been, in the past, any water wells, oil and gas wells, monitoring wells, injection wells, or pipelines on the <i>adjoining properties</i> .	X		
23. Have you observed or do you have any prior knowledge that there are currently or have been, in the past, any refuse or trash piles on the <i>property</i> .		X	
24. Have you observed or do you have any prior knowledge that there are currently or have been, in the past, any septic systems on the <i>property</i> .	X		
25. Have you observed any evidence or do you have any prior knowledge that the <i>property</i> is used or has been used, in the past, as a self-service laundry facility?		X	
26. To the best of your knowledge, have there been any previous environmental reports conducted for the property, i.e. Phase I or Phase II reports?	X		
27. To the best of your knowledge, is there a presence of lead-based paint or asbestos at the property?		X	
28. Are you aware of any permits to use, store, generate, treat, emit, or dispose of chemicals, wastes, or other hazardous substances at the subject property or adjoining properties?		X	
29. To the best of your knowledge, what was the historical use of the property?			
RV PARK			
30. If possible, please provide contact information for a person with good knowledge of any uses and physical characteristics of the subject property, such as a site manager.			
Name: <u>LAWELL M ORSAK</u> Contact (E-mail/Phone): <u>lmosak@eastex.net</u>			
936-646-3369			
Completed By:			
Name (print): <u>LAWELL M ORSAK</u> <u>Rennick Orsak</u>		Signature: <u>[Signature]</u>	
Relationship to Property (owner, broker, attorney, etc.): <u>Owners</u>		Date: <u>4/9/2025</u>	
Firm: <u>Sandy Creek Resort + Campground</u>		Years Associated with Property: <u>25</u>	
Address: <u>11941 US Hwy 190 W</u>		City, State, ZIP Code: <u>Livingston Tx 77351</u>	
Phone: <u>936-646-3369</u>		Email:	
Comments on "Yes" Answers:			
<p>Question # 2 # 7 # 8 # 9 # 10 # 14 # 16 # 21 # 22 # 26          These questions pertain to Convenience Store/gas station that was sold in 2015. Does not pertain to property being sold</p> <p># 24 Septic Systems @ Tolbert, Brown, + MH # 70</p>			

Please email completed form to Diana@PhaseEngineering.com. If you have any questions, please call (832) 485-2225.

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## User Responsibilities Questionnaire

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In order to qualify for one of the *Landowner Liability Protections* (LLPs) offered by the Small Business Liability Relief and Brownfields Revitalization Act of 2001 all users must provide the following information (if available) to Phase Engineering, Inc. Failure to provide this information could result in a determination that "all appropriate inquiries" is not complete.

- 1) **Environmental cleanup liens that are filed or recorded against the property (40 CFR 312.25).**  
Did a search of recorded land title records (or judicial records where appropriate) identify any environmental liens filed or recorded against the property under federal, tribal, state or local law?  Yes  No
  
- 2) **Activity and land use (AUL's) limitations that are in place on the property or that have been filed or recorded in a registry (40 CFR 312.26 (a)(1)(v) and (vi)).**  
Did a search of recorded land title records (or judicial records where appropriate) identify any AULs, such as engineering controls, land use restrictions or institutional controls that are in place of the property and/or have been filed or recorded against the property under federal, tribal, state or local law?  Yes  No
  
- 3) **Specialized knowledge or experience of the person seeking to qualify for the LLP (40 CFR 312.28).**  
Do you have any specialized knowledge or experience related to the property or nearby properties? For example, are you involved in the same line of business as the current or former occupants of the property or an adjoining property so that you would have specialized knowledge of the chemicals and processes used by this type of business?  Yes  No
  
- 4) **Relationship to the purchase price to the fair market value of the property if it were not contaminated (40 CFR 312.29).**  
Does the purchase price being paid for this property reasonably reflect the fair market value of the property?  
 Yes  No  
If you conclude that there is a difference, have you considered whether the lower purchase price is because contamination is known or believed to be present at the property?  Yes  No
  
- 5) **Commonly known or reasonably ascertainable information about the property (40 CFR 312.30).**  
Are you aware of commonly known or reasonably ascertainable information about the property that would help Phase Engineering, Inc. to identify conditions indicative of releases or threatened releases? For example, as user,
  - a. Do you know the past uses of the property?  Yes  No
  - b. Do you know of specific chemicals that are present or once were present at the property?  Yes  No
  - c. Do you know of spills or other chemical releases that have taken place at the property?  Yes  No
  - d. Do you know of any environmental cleanups that have taken place at the property?  Yes  No
  
- 6) **The degree of obviousness of the presence or likely presence of contamination at the property, and the ability to detect the contamination by appropriate investigation (40 CFR 312.31).**  
Based on your knowledge and experience related to the property are there any obvious indicators that point to the presence or likely presence of releases at the property?  Yes  No
  
- 7) **Will any building on the property be child-occupied (including but not limited to day care, preschool, kindergarten classroom or housing)?**  
 Yes  No

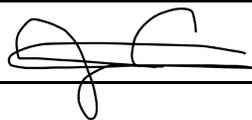
### Comments from Questions 1-7:

The reason for the inquiry and need for this report is that it is adjacent to a gas station. The gas station was previously owned by the seller of the subject property. They indicated to me that the tanks were replaced in a timely manner and there was a previous span of time where monitoring wells were installed and came back clean. It is the time since then is the reason for my concerns and inquiry. They told me that they used the plastic tanks which I understand to be very durable so this survey is really just for the sake of best business practices since I am seeking investors to fund this endeavor.

Please have the user(s) of the Phase I report answer and return this page with the signed letter of engagement. Please fax completed form back to Diana at (832) 810-9007. To submit this form via email, please send to: Diana@PhaseEngineering.com. If you have any questions, please call (832) 485-2225.

Property Address or Description: 11941 US-190, Livingston, TX

Print Name: Juan Cuevas Company: Uncontained Living Date: 01/14/2025

Signature:  Relation to property: Purchaser  
(purchaser, lender, lessee, etc.)



January 14, 2025

To: Polk County Fire Marshal  
Email: [firemarshal@co.polk.tx.us](mailto:firemarshal@co.polk.tx.us)

From: Phase Engineering, LLC.  
5524 Cornish Street  
Houston, TX 77007  
Requestor: Bev Evans  
Records Request  
Phase Engineering Job: 202501055

Phase Engineering, LLC. is currently working on a Phase I Environmental Assessment of the property located at:

Address: 111,150, 156, 166, 176 & 177 Swiggers Hill, 11941 and 11975 US Highway 190 West  
and 165 Captains Lane  
Livingston, TX 77351

We would like to request the following based upon the Freedom of Information Act:

Fire/UST Records: We are requesting any information you may have concerning the storage, use, handling or dispensing of flammable liquid storage tanks, hazardous materials, or liquefied petroleum gas storage or incidents of environmental concern such as fire or hazmat calls. If you have records of installation or removal of aboveground or underground storage tanks for the above property.

*Please notify us of any charges before proceeding.*

Please reply as soon as possible to: [Research@PhaseEngineering.com](mailto:Research@PhaseEngineering.com) or Call Bev Evans at 832-485-2256

Thank you!

\*I give permission to redact (remove) any information that is confidential pursuant to the Attorney General's Public Information Act, Sections: 522.101: Judicial Decisions; 552.102: Employees' personal privacy; 522.117: employee address, telephone nos., Social Security Nos, personal family information; 522.1175: personal information of security officers; 522.130(a); Driver's License, Permit, Title, Registration, Personal ID; 522.137: email addresses when communicating electronically with governmental body.\*



January 14, 2025

To: Polk County Environmental Enforcement  
Email: [envenfsec@co.polk.tx.us](mailto:envenfsec@co.polk.tx.us)

From: Phase Engineering, LLC.  
5524 Cornish Street  
Houston, TX 77007  
Requestor: Bev Evans  
Records Request  
Phase Engineering Job: 202501055

Phase Engineering, LLC. is currently working on a Phase I Environmental Assessment of the property located at:

Address: 111,150, 156, 166, 176 & 177 Swiggers Hill, 11941 and 11975 US Highway 190 West  
and 165 Captains Lane  
Livingston, TX 77351

We would like to request the following based upon the Freedom of Information Act:

Environmental Health Records: We would like to request any environmentally related information, such as notices of violation or complaints pertaining to incidents such as chemical spills or dumping. If there are permits or records for fuel tank storage facilities, sample wells, septic tanks or grease traps located on the property.

*Please notify us of any charges before proceeding.*

Please reply as soon as possible to: [Research@PhaseEngineering.com](mailto:Research@PhaseEngineering.com) or Call Bev Evans at 832-485-2256

Thank you!

\*I give permission to redact (remove) any information that is confidential pursuant to the Attorney General's Public Information Act, Sections: 522.101: Judicial Decisions; 552.102: Employees' personal privacy; 522.117: employee address, telephone nos., Social Security Nos, personal family information; 522.1175: personal information of security officers; 522.130(a); Driver's License, Permit, Title, Registration, Personal ID; 522.137: email addresses when communicating electronically with governmental body.\*



January 14, 2025

To: Polk County Permit Department  
Email: [permits@co.polk.tx.us](mailto:permits@co.polk.tx.us)

From: Phase Engineering, LLC.  
5524 Cornish Street  
Houston, TX 77007  
Requestor: Bev Evans  
Records Request  
Phase Engineering Job: 202501055

Phase Engineering, LLC. is currently working on a Phase I Environmental Assessment of the property located at:

Address: 111,150, 156, 166, 176 & 177 Swiggers Hill, 11941 and 11975 US Highway 190 West  
and 165 Captains Lane  
Livingston, TX 77351

We would like to request the following based upon the Freedom of Information Act:

Building Records: Please provide copies of all building permits submitted/approved, certificates of occupancy and building plans. Permits for installation or removal of aboveground or underground storage tanks for the above property.

*Please notify us of any charges before proceeding.*

Please reply as soon as possible to: [Research@PhaseEngineering.com](mailto:Research@PhaseEngineering.com) or Call Bev Evans at 832-485-2256

Thank you!

\*I give permission to redact (remove) any information that is confidential pursuant to the Attorney General's Public Information Act, Sections: 522.101: Judicial Decisions; 552.102: Employees' personal privacy; 522.117: employee address, telephone nos., Social Security Nos, personal family information; 522.1175: personal information of security officers; 522.130(a); Driver's License, Permit, Title, Registration, Personal ID; 522.137: email addresses when communicating electronically with governmental body.\*

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**User Responsibilities Questionnaire**

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In order to qualify for one of the *Landowner Liability Protections* (LLPs) offered by the Small Business Liability Relief and Brownfields Revitalization Act of 2001 all users must provide the following information (if available) to Phase Engineering, Inc. Failure to provide this information could result in a determination that "all appropriate inquiries" is not complete.

- 1) **Environmental cleanup liens that are filed or recorded against the property (40 CFR 312.25).**  
Did a search of recorded land title records (or judicial records where appropriate) identify any environmental liens filed or recorded against the property under federal, tribal, state or local law?  Yes  No
  
- 2) **Activity and land use (AUL's) limitations that are in place on the property or that have been filed or recorded in a registry (40 CFR 312.26 (a)(1)(v) and (vi)).**  
Did a search of recorded land title records (or judicial records where appropriate) identify any AULs, such as engineering controls, land use restrictions or institutional controls that are in place of the property and/or have been filed or recorded against the property under federal, tribal, state or local law?  Yes  No
  
- 3) **Specialized knowledge or experience of the person seeking to qualify for the LLP (40 CFR 312.28).**  
Do you have any specialized knowledge or experience related to the property or nearby properties? For example, are you involved in the same line of business as the current or former occupants of the property or an adjoining property so that you would have specialized knowledge of the chemicals and processes used by this type of business?  Yes  No
  
- 4) **Relationship to the purchase price to the fair market value of the property if it were not contaminated (40 CFR 312.29).**  
Does the purchase price being paid for this property reasonably reflect the fair market value of the property?  
 Yes  No  
If you conclude that there is a difference, have you considered whether the lower purchase price is because contamination is known or believed to be present at the property?  Yes  No
  
- 5) **Commonly known or reasonably ascertainable information about the property (40 CFR 312.30).**  
Are you aware of commonly known or reasonably ascertainable information about the property that would help Phase Engineering, Inc. to identify conditions indicative of releases or threatened releases? For example, as user,
  - a. Do you know the past uses of the property?  Yes  No
  - b. Do you know of specific chemicals that are present or once were present at the property?  Yes  No
  - c. Do you know of spills or other chemical releases that have taken place at the property?  Yes  No
  - d. Do you know of any environmental cleanups that have taken place at the property?  Yes  No
  
- 6) **The degree of obviousness of the presence or likely presence of contamination at the property, and the ability to detect the contamination by appropriate investigation (40 CFR 312.31).**  
Based on your knowledge and experience related to the property are there any obvious indicators that point to the presence or likely presence of releases at the property?  Yes  No
  
- 7) **The anticipated future use of the subject property:**  
 Residential       Commercial/Industrial (i.e. Non-Residential)

Comments from Questions 1-7:

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Please have the user(s) of the Phase I report answer and return this page with the signed letter of engagement. Please fax completed form back to Diana at (281) 200-0060. To submit this form via email, please send to: [Diana@PhaseEngineering.com](mailto:Diana@PhaseEngineering.com). If you have any questions, please call (832) 485-2225.

Property Address or Description:

---

Print Name: \_\_\_\_\_ Company: \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_ Relation to property: \_\_\_\_\_

(purchaser, lender, lessee, etc.)

**APPENDIX VI**

**STATEMENT OF QUALIFICATIONS**



## STATEMENT OF QUALIFICATIONS

It is the goal of Phase Engineering, LLC to provide quality Environmental Site Assessments and related Professional Services at a fair price within the clients' required delivery date.

Since 1993, our in-house licensed and certified Environmental Professionals continue to provide consistent quality, detailed attention to our clients' requests, and full-service environmental reports which set Phase Engineering, LLC apart. Phase Engineering, LLC has provided over 20,000 nationwide professional, quality and timely Environmental Assessments and Property Condition Assessments for the private and public commercial real estate industries.

Whether you are a lender, broker, attorney, buyer/seller, property manager, developer, or property owner, Phase Engineering, LLC has the right service at the right price point for you. We work diligently to meet our clients' timing and unique requirements. As any qualified environmental consultant knows, Environmental Site Assessments are not created equal. Phase Engineering, LLC is qualified to ensure your reports meet the highest standards and regulations to help protect your interest. Please see our website page for more information on how you can qualify your environmental vendors.

To provide the most informed and educated solutions, we proudly carry the following licenses and certifications:

- Professional Engineering Firm
- Professional Geoscientist Firm
- Licensed Asbestos Consultant Agency
- Licensed Mold Assessment Company
- Certified Lead Firm
- Leaking Petroleum Storage Tank (LPST) Corrective Action Specialist (CAS)
- Wetlands United States Army Corp of Engineers Delineation Course Certified
- Storm Water & Pollution Prevention Certified Preparer of SWPPP (CPSWPPP) and (CCIS)



## Professional Services

The professional licensed and technical staff at Phase Engineering, LLC are annually involved nationwide in over 1200 environmental site assessments, NEPA Environmental Reviews, Property Condition Assessments, and related services. Our professional services include all aspects of the environmental due diligence for all types of commercial real estate clients. Phase Engineering, LLC is qualified to ensure your reports meet the highest standards and regulations to help to protect each client's interest. Phase Engineering, LLC provides a full range of professional environmental services for the real estate transaction business world as listed below:

### Phase I Environmental Site Assessments

- Phase I Environmental Site Assessments in accordance with EPA "All Appropriate Inquiries" (AAI) rule & ASTM Standard E 1527
- Client specific requirements such as:
  - Small Business Administration (SBA) SOP 50 10, etc.
  - Fannie Mae, FDIC, Freddie Mac, HUD, DHCA, NEPA, USDA, FDIC, TDHCA, Oil & Gas, etc.
- Transaction Screens per ASTM Standard E 1528
- Record Search with Risk Assessment Reports (RSRA)
- Environmental Data Records Reviews (EDRR)
- Prior Environmental Report Reviews (Third Party Reviews)

### Phase II Environmental Site Assessments

- Phase II Environmental Site Assessments
- Tier I & II Vapor Encroachment Screening

### Remediation

- Leaking Petroleum Storage Tank Corrective Action Project Management (CAPM) & Corrective Action Specialist (CAS) Services
- Voluntary Cleanup Program (VCP) Consulting through the TCEQ & RRC
- Innocent Owner Program (IOP) Consulting
- Industrial Hazardous Waste Corrective Action (IHWCA) Consulting
- Dry Cleaning Remediation Program (DCRP) Consulting Services
- Municipal Settings Designation (MSD) Services
- Brownfields Site Assessment & Advisory Services
- Operator Cleanup Program (OCP) Consulting Services
- Remediation Feasibility, Design, & Implementation
- Monitoring & Post-Closure Care
- Groundwater Monitoring
- Litigation Support



### **Building and Facilities Assessments**

- Property Condition Assessments per ASTM E 2018
- Project Capital Needs Assessments (PCNA) per FHA Applications
- Asbestos Inspections, Management & Consulting
- Lead Based Paint Inspections, Risk Assessments & Consulting
- Lead in Drinking Water Testing
- Mold Assessments & Consulting
- Radon Measurement Surveys per ANSI-AARST Multifamily Standards
- Storm Water Pollution Prevention (SWPPP) Plans, Audits & Inspections
- Spill Prevention, Control & Counter Measure (SPCC) Plans
- Planning and Zoning Reports (PZR)

### **NEPA Compliance**

- HUD Part 58 (CDBG Disaster Recovery, HOME, RAD) Environmental Clearance
- HUD Part 50/HEROS/Partner Worksheet (221(d)4, 223(f), RAD) Environmental Clearance
- USDA Environmental Reviews per 7 CFR Part 1970
- National Housing Trust Fund Compliance
- Section 811 Compliance
- HUD 8-Step / 5-Step Decision Making Process for Floodplains or Wetlands per 24 CFR Part 55
- HUD Noise Studies and Mitigation
- Pipeline and Fracking Hazard Analysis
- Historical Preservation SHPO Section 106 Reviews
- Cultural Resource Surveys
- Endangered Species Evaluations
- Habitat Assessments

### **Wetlands – Section 404 Compliance**

- Wetland Determinations
- Wetland Delineations
- Nationwide Permit Compliance Evaluations
- Individual Permitting
- US Army Corps of Engineers Consultations
- Wetland Monitoring
- Mitigation Plans



# PHASE ENGINEERING

## Licenses & Certifications

Phase Engineering, LLC and staff are licensed and certified in all related areas to give the client a more informed and educated solution.

### Registered Professional Engineering Firm

#### Licensed Professional Geoscientist Firm Asbestos

- Consultant Agency
- Consultant
- Project Designer
- Management Planner
- Air Monitoring
- Inspector

#### Indoor Air Quality

- Mold Assessment Company
- Mold Assessment Consultant
- Mold Assessment Technician

#### Lead

- Lead Firm
- Risk Assessor
- Inspector

#### Underground Storage Tanks

- Corrective Action Specialist (CAS)
- LPST Corrective Action Manager (CAPM)

#### Wetlands

- United States Army Corp of Engineers Delineation Course Certified

#### Storm Water & Pollution Prevention

- Certified Preparer of SWPPP (CPSWPPP) and (CCIS)

#### Radon

- Residential Radon Measurement Provider
- Multifamily Specialized



## Recognized Associations

Keeping with the latest rules and regulations in the environmental field, Phase Engineering, LLC and its staff are dedicated to current standards and legal issues by being involved with several professional associations:

- ASTM Committee Environmental Site Assessments for Commercial Real Estate Transactions & ASTM Phase II Task Force
- ASTM Teaching Staff - Phase I & Phase II Environmental Site Assessments
- Risk Management Association Board (RMA)
- Society of Wetland Scientists (SWS)
- Certified Commercial Investment Member (CCIM)
- Commercial Real Estate Women (CREW)
- Houston Geological Society (HGS)
- Association of Commercial Real Estate Professionals (ACRP)
- Society of Industrial and Office Realtors (SIOR)
- Institute of Real Estate Management (IREM)
- Urban Land Institute (ULI)
- Houston Building Owners & Managers Association (BOMA)
- National Association of Government Guaranteed Lenders (NAGGL)
- Houston Association of Government Guaranteed Lenders (HAGGL)
- Texas Bankers Association (TBA)
- Southwestern Mortgage Advisory Council (SWAC)
- Independent Bankers Association of Texas (IBAT)
- National Registry of Environmental Professionals (NREP)
- Texas Association of Environmental Professionals (TAEP)
- Texas Affiliation of Affordable Housing Providers (TAAHP)
- ASTM Committee D18 on Soil and Rock, Subcommittee on Geospatial Technology
- Houston Geological Society (HGS), Environmental and Engineering Group
- Urban and Regional Information Systems Association (URISA)
- Texas Association of Environmental Professionals (TAEP)
- Texas Association Professional Geoscientists (TAPG)
- Texas Board of Professional Geoscientists (TBPG)
- American Institute of Professional Geologists (AIPG), Texas Section, AIPG District IV – Southeast Texas



All policies (except Workers' Compensation/EL) include a blanket automatic additional insured endorsement [provision] that confers additional insured status to the certificate holder only if there is a written contract between the named insured and the certificate holder that requires the named insured to name the certificate holder as an additional insured. In the absence of such a contractual obligation on the part of the named insured, the certificate holder is not an additional insured under the policy.

All policies include a blanket automatic waiver of subrogation endorsement [provision] that provides this feature only when there is a written contract between the named insured and the certificate holder that requires it. In the absence of such a contractual obligation on the part of the named insured, the waiver of subrogation feature does not apply.

All policies include a blanket notice of cancellation to certificate holders endorsement, providing for 30 days' advance notice if the policy is cancelled by the company other than for nonpayment of premium, 10 days' notice after the policy is canceled for nonpayment of premium. Notice is sent to certificate holders with mailing addresses on file with the agent or the company. The endorsement does not provide for notice of cancellation if the named insured requests cancellation.

The General Liability and Auto Liability policies contain a special endorsement with "Primary and Noncontributory" wording.

The Workers Compensation and Employers Liability include Alternate Employer coverage under form # WC 00 03 01.



## **Zahir Jamal**

### **Senior Staff Environmental Scientist**

#### **Professional Experience**

Mr. Zahir Jamal is a Professional Environmental Project Manager for Phase Engineering, LLC. Over the last 20 years, he has conducted and/or managed over 10,000 Phase I Environmental Site Assessment (ESAs) and Phase II Environmental Site Assessment (ESAs).

#### **Licenses/Certifications/Training**

- 40-Hour OSHA (HAZWOPER)

#### **Education**

- B.E. (Bachelor of Engineering) N E D University, Karachi, Pakistan
- M.S. Environmental Engineer, University of Windsor, Windsor, Canada

#### **Select Project Experience**

**City of Houston, Houston, TX:** Performed subsurface investigations at several City of Houston owned properties that had underground storage tanks (USTs). For facilities where the USTs were determined to be leaking, performed investigations to determine the extent of affected soil and /or groundwater.

Performed Phase II site remediation which included geoprobe boring installations, soil and groundwater sampling for analysis, and soil bioremediation to reduce total petroleum hydrocarbon (TPH) contamination.

**Private and Industrial Clients:** Performed several Phase I Environmental Site Assessment (ESAs) involving field investigations and report writing.



# PHASE ENGINEERING

## **Veronica Pearson**

**Environmental Professional / Senior Staff Environmental Specialist**

### **Professional Experience**

Ms. Pearson is a Senior Staff Environmental Scientist at Phase Engineering, LLC gathering research data and writing and reviewing technical reports for Phase 1 Environmental Site Assessments (ESAs), Record Search with Risk Assessment Reports (RSRAs), Environmental Data Risk Reviews (EDRRs) as well as those for the Texas Department of Housing and Community Affairs (TDHCA) and United States Department of Housing and Urban Development (HUD). She started at Phase in early 2019 and in that time has gained experience writing thousands of technical reports, researching and retrieving of files and data necessary to the environmental assessment process including information from the Environmental Protection Agency (EPA), the Texas Commission on Environmental Quality (TCEQ), the Texas Railroad Commission (RRC) and the Texas Water Development Board (TWDB), creating inquiries for Public Information Requests to public entities, searching historical street directories as well as creating physical setting, topographic and aerial imagery maps in ArcGIS. She has also trained other new hires in the research and writing department according to the Phase Engineering, LLC standards, created an ArcGIS database with Harris County aerials to support research efficiency and generated numerous word banks items to support writer efficiency.

### **Certifications**

- AECOM
  - PFAS: Accelerating US PFAS Regulations - Do they lead to a PFAS-free destination?
  - PFAS Drinking Water Regulations: Compliance and Funding Strategies
  - Biosolids & PFAS: Options & Opportunities
  - Urban Flood Solutions for Resilient Forward Communities
- EMSL Analytical, Inc.
  - Asbestos Analysis of Vermiculite & Vermiculite Containing Materials
  - Asbestos in Soil - The Fluidized Bed Asbestos Segregator
  - Lead Sampling
  - Basics of Mold Sampling for Indoor Air Quality Investigations
- EPA
  - Advanced ECHO Webinar: Hazardous Waste
  - Oil Spill Response: Advances in Detection Capabilities
- ERIS
  - “Background Check: The Why and How of Background Threshold Values
  - The Dirty Side of Dry Cleaning: Liabilities & Transaction Considerations

- Dry-Cleaning Sites Part III: It's Time to Remediate!
- E1527-21 is IN... E1527-13 is OUT!
- Final ASTM E1527-21 Update!
- New CERCLA PFAS Designations: Strategies for Managing Risks and Moving Deals Forward
- ESRI - ArcGIS Cartography
- GeoSearch - Challenges with the Phase I ESA Process
- Web-based Instructional System for Environmental Reviews (WISER)
  - Environmental Assessment Factors
  - Environmental Justice
  - Explosive & Flammable Materials
  - Floodplain Management, Wetlands and Flood Insurance
  - Noise Abatement and Control
  - Site Contamination
  - Water Elements
  - Part 58 environmental review process
  - Part 50 environmental review process

### **Education**

- B.S. Environmental Science, University of Houston-Clear Lake, Houston, Texas

### **Select Project Experience**

**University of Houston-Clear Lake:** Related coursework included Organic Chemistry, Environmental Safety and Health, Environmental Toxicology, Environmental Microbiology, Environmental Geology, Environmental Biology, Soils in the Environment, Environmental Chemistry and Environmental Sampling and Monitoring. Environmental Sampling and Monitoring included writing and carrying-out standard operating procedures for soil, water and air sampling.



## **Jillian Chahal**

### **Due Diligence Project Director**

#### **Professional Experience**

Ms. Chahal is an Environmental Professional for Phase Engineering, LLC. Ms. Chahal has over 17 years of experience in environmental consulting/remediation/construction projects in Texas for a wide variety of clients in the healthcare, industrial and commercial sectors.

Ms. Chahal has managed and conducted Environmental Site Assessment projects exercising due diligence and meeting client expectations. She has performed and reviewed thousands of Phase I environmental site assessments. She has completed hundreds of assessments for asbestos, mold, air quality, safety, industrial hygiene and soil and water contaminant investigation projects. She has designed remediation protocols, detailing hazard control systems, and operational procedures to best manage risks and exposure. Her experience has encompassed various aspects of consulting/project management including project design, research, cost projection and plan development; risk assessment; monitoring; and compliance.

#### **Licenses/Certifications/Training**

- 40-Hour OSHA (HAZWOPER) (29 CFR 1910.120)
- Certified Safety Professional (CSP)
- Certified Hazardous Materials Manager (CHMM)
- TDSHS Asbestos Consultant (not current)
- TDSHS Mold Consultant (not current)

#### **Education**

- B.S. Bioenvironmental Sciences, Texas A&M University, College Station, Texas
- M.P.H. Public Health (Environmental and Occupational Health), University of Texas Health Science Center, Houston, Texas



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